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The Pittsburgh

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DAILY AND WEEKLY

LEADING

Pennsylvania Paper.

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## CUBA.

### Details of the Santiago Butchery.

### Action of United States and British Consuls.

**New York.**

BROOKLYN NAVY YARD.

NEW YORK, November 15.—At the Brooklyn navy yard, orders were received last night, directing the immediate preparation for sea, of the frigates Colorado and Minnesota. Vice Admiral Rowan says the Colorado could probably be got ready for sea in thirty days, and the Minnesota in one or two months; the Juniata would be ready in a day or two; the Powhattan was ready to sail; and work was continued on the Spanish ironclad Aripiles, which is on the dry dock at the yard.

No secret is made of the fact that orders have been received from Washington to prepare all available vessels in the yard for active service as soon as possible, and well informed parties say that orders have been issued to prepare for sea at once every suitable vessel in the United States.

The navy frigates Minnesota and Colorado, each carrying fifty guns, will be ready for sea within twenty-five days. Captain Ransom does not believe there is no vessel in our navy competent to contend with the Spanish frigate Aripiles, but believes that one of our monitors can easily put shot clear through her and disable her machinery. It is not true that orders have been received from the navy department to stop work on the Arapiles.

AT HOTELS AND CLUBS

the Cuban difficulty and complications almost certain to arise from it, are the universal subject of conversation. It is generally conceded that unless the Madrid government consents to joint intervention in order to restore tranquility it will punish the perpetrators of the recent outrage, war with Spain is inevitable. A majority are unanimous in expressing the belief that everything should be done to uphold the national reputation.

THE SECRETARY OF WAR.

who was in this city yesterday, is reported to have said to an intimate friend who called on him: "You are aware that I have been considered somewhat bloodthirsty on this matter, but the entire cabinet are now of my mind. At a cabinet meeting held yesterday we were unit, and if the American people are not satisfied with the result we will report it to that meeting, to vindicate the national honor, they must be very hard to please."

THE PARK MEETING A FAILURE.

The meeting in the Park this afternoon to denounce the Cuban butcheries, was called to order and addressed by one Thomas Dugan, who urged his hearers to demand reparation. No noteworthy Cuban was present and only a limited number of other nationalities.

**Washington.**

LETTER FROM GENERAL RYAN.

WASHINGTON, D. C., November 15.—The following letter was received in this city yesterday by General George W. Cook, an intimate friend of General Ryan:

BLUNDELL HALL, KINGSTON, JAMAICA, October 23, 1873.

TO MY DEAR GEORGE: In one hour we leave for Cuba. This is quite unexpected, as we did not expect to go until to-morrow, and I have just returned from the country. We arrived safely on the 12th inst. Had quite a storm on the 7th. All our provisions were washed overboard, and the deck was swept fore and aft. Captain Harris and the purser were badly injured, and such seasick set! The captain pronounced it the most severe hurricane he ever saw in twenty hours. I thought we would all enjoy the novelty of a bath in mid-ocean. Since our arrival we have had a splendid time, feast after feast, and ball after ball. The first ball was given by the Peruvian minister in honor of General Verona and myself. All the fashion and wealth of the place were present. Mr. Stevens, General Cordoves and Judge Tichburn gave others, and gay ones they were. The place is filled with beautiful women and gay and splendid fellows, generous to a fault and liberal as princes. I must say that I never received such attention. I regret that want of time will prevent my giving you a detailed account of my adventures. I am on as ball and gay as a lark, and leave this place with many regrets. Very truly, &c.,

[Signed] W. A. C. RYAN.

EFFECTS OF GENERAL RYAN.

An inventory was made to-day of the effects Washington of the late General. They include a Cuban flag and sword presented him by the Cuban Junta in New York.

YOUNG'S MARVELOUS STORY.

Concerning the reported interview between the Captain General of Cuba and John W. Young, now in jail at Chicago, it is known in official quarters that instead of the Captain General proposing to Young to act as a decoy to bring the Cuban Junta to Cuba for the purpose of being captured, such a proposition was made by Young himself to the Captain General, who, having no confidence in Young, gave him a certain time in which to leave the Island, and he left.

**Philadelphia.**

PHILADELPHIA, November 15.—Seven hundred men are at work in the Navy Yard fitting out the monitors Canonicus and Manhattan, and the sloop of war Canandaigua for service. The monitors carry fifteen inch Dahlgreen guns, and the Canandaigua carries ten guns. The monitors will be ready for service early next week, and the sloop of war within a fortnight, the necessary repairs to her boilers causing the delay.

**Boston.**

CHARLESTON NAVY YARD.

BOSTON, November 15.—To-day orders were received from Washington to fit the Franklin for sea at the earliest moment, and work upon her has begun. Employees of the engineer department were up all night and all day to-morrow. The work upon the Brooklyn is being pushed forward.

**St. Louis.**

ST. LOUIS, November 15.—The meeting at the Court House to-night to express the sentiment of the people regarding the execution of the passengers and crew of the Virginius was one of the largest ever held in this city. The rotunda of the Court House was packed to overflowing, and an outdoor meetings were organized at both the east and west wings of the building. Gen. Nathan Kanney, a soldier of the war of 1812, presided. Speeches were made by Mayor Brown, ex-Attorney General Baker and a dozen other local speakers, all of whom took the strongest possible ground in favor of vindicating the national honor and wiping out the recent insult to the flag and outrage to civilization and humanity by visiting summary vengeance upon the perpetrators of the inhuman butchery. The war feeling in the crowd ran very high, and there was repeatedly expressed a desire to take forcible possession of Cuba, and annex it to the United States. A resolution to this effect, and urging the government to speedy and vigorous prosecution of the preparation for the wrongs committed, was unanimously adopted. At a late hour a crowd still remained at the Court House, and speaking was continued.

The Lindell Grays, a voluntary military organization here, have telegraphed to President Grant that they hold themselves in readiness to respond to a call for men to go to Cuba, and a number of gentlemen have telegraphed that they will, if authorized, raise a regiment in four days for the same purpose.

**Havana.**

LATEST DETAILS OF THE KILLING.

HAVANA, VIA KEY WEST, November 15.—The following account of the events at Cuba has been received here. On Friday morning, the 15th instant, thirty-one of the crew of the Virginius were brought on shore and taken to prison to remain there until their execution, which was ordered for that afternoon. Captain Fry, a noble looking man, and fully a head taller than the rest of the crew, when he met his men on the wharf, previous to the march to prison, saluted them all. The salute was returned with affection. At 4:45 P. M. Capt. Fry and thirty-six men and officers were publicly shot, despite the protest of all competent foreign authorities. The executions were seven minutes killing the wretched prisoners. It seemed as if they would never finish. At last the sailors marched off and the troops filled past the long row of corpses. Then the dead carts were driven up and loaded indiscriminately with the mangled remains.

THE AMERICAN CONSUL

has done all that could have been done; indeed it was threatened that his exquatur would be withdrawn for his exertions in behalf of the prisoners. In an interview with General Burriel, that officer yelled at him, and otherwise treated him disrespectfully.

THE BRITISH CONSUL

also made an ineffectual protest against the executions. It is reported that sixteen of the victims were British subjects.

HAVANA, November 16.—The *Voz De Cuba* says a conspiracy has been discovered in Halguin and the surrounding jurisdiction for rising simultaneously with the landing of the Virginius expedition. The plot had extensive ramifications throughout the island and was to have been carried into execution on the first of November. Many persons have already been arrested and arrests are daily increasing. The *Voz* hopes that the participants discovered guilty of taking part in the conspiracy will be judged in accordance with the utmost severity of the law.

**New York.**

NEW YORK, November 17, 1873.

MASS MEETING LAST NIGHT—SPEECHES OF WM. M. EVARTS AND OTHERS.

About three thousand American and Cuban citizens met in Steinway Hall to-night, for the purpose of giving expression to their sense of the late outrages at Santiago. Wm. M. Evarts was called to the chair, and in opening the meeting said that he felt when he accepted the invitation to preside at the meeting, as every person must have felt the Cuban question, was one of the greatest importance. He rapidly reviewed the various steps which brought this nation face to face with the present difficulty, and said that during the whole period of the struggle for independence by Cuba the greatest insults had been offered to the American flag by Spain and her rulers. Our complaints were met by regrets and concessions, and in a correspondence with Spain about this matter a convention of both nations was effected, which had its seat at Washington, to seek redress for grievances. Now, like a thunderbolt two nations, America and England, have been stricken by the shock of the transaction which had just occurred; a shock which moved the whole civilized world. This island, with its immense commercial relations, has been the scene of struggles for liberty and coercion of power. A ship accredited with being under the American flag, while on the high sea and distant from Cuba, is visited by the pride and arrogance of the Spanish power, pursued, overtaken and captured. All on board were conveyed to the harbor, where four men were taken out of her, condemned and shot. Then forty more, followed by fifty-seven others. The British and American Consuls spoke in vain. Their interference went for naught. We had a complete understanding with Spain to the effect that every citizen of our country taken by this piratical act should have a trial before the proper tribunal and have competent legal defenders. If there was peace between this country and Spain, no matter of what crimes these men were guilty, under the laws of nations they should have been called to account by the country to which each belonged. The laws of piracy allowed any nation that wished, to punish offenders, but there was no evidence to show that the Virginius was a pirate. Still, if she was a pirate, we hold that the law could not be carried out in her case without a trial, condemnation or conviction. Away, then, with the idea that our citizens are to be dealt with as though they were engaged in marauding. Do not fear that the President of the United States is not imbued with the same feeling as pervades this meeting. We deal with Cuba as a community and we intend to have redress for these outrages [Loud and prolonged cheering] and security, perfect and absolute security, that no such disgraceful butcheries shall ever be repeated. [Renewed applause.] We will receive from the government of Spain, though we desire the republic to be upheld, promises that her power must be more efficacious over her own forces in Cuba, and if she wants help we are prepared to give it. If it be true that Spain can no longer control the actions of her subjects, we will see to it that they will not have all immunities from a regular constituted power and authority. We would make the American people feel that their peace would not again be disturbed in future. The concluding portion of the speech was received with uproarious cheers and cries of "war, war."

SPEECH OF S. S. COX.

HON. S. S. COX was the next speaker. He claimed that the Virginius, at the time of her seizure, was duly authenticated by our government, and our flag rightfully was at its mast. It had our register and clearance. The seizure was on the high seas, not within Spanish waters, not within the marine league. There was no recognition by Spain of belligerent rights for the purpose of sale for prize, and the legal status of the vessel was the same as the right of citizens to walk the streets or city parks. Mr. Cox then referred to the barbarities practiced by the Spaniards throughout the Cuban war, and said that it had been a war without pity, without remorse. Rapacity and despotism, confiscation and butchery, have added daily significance to the red flag of Spain, which, red and yellow, is a river of blood between a margin of gold. As a remedy for the existing state of affairs in Cuba, Mr. Cox suggested annexation as of almost positive necessity.

Letters of apology were then read from Hon. Henry Wilson, Vice President of the United States; Gov. John A. DIX, of New York; Gov. Joel Parker, of New Jersey; Gov. Charles E. Ingersoll, of Connecticut; Gov. Hendricks, of Indiana; Henry Ward Beecher, John W. Forney, of Philadelphia, and Hon. Gerritt Smith.

RESOLUTIONS.

Resolutions were adopted to the effect that in view of the war for the suppression of the Cuban rebellion, which has been going on for five years, without any evidence of success and that the Spanish volunteers have outraged the rights and persons of American citizens, the people of the United States look to the great soldier now presiding over the government, to take the promptest and most decisive action consistent with the dignity and past precedents of our government.

**Washington.**

In consequence of a large number of people being unable to gain admittance to the hall, an impromptu meeting was held at another hall, which was also crowded to excess. Addresses were delivered by Hon. Wm. C. Robinson, Col. Chas. S. Spencer, Col. Frederick A. Conkling and others.

THE RECRUITING OF SEAMEN

and marines for the United States Navy is in progress at the usual outlet.

THE ARAPILES.

The fine Spanish iron-clad Arapiles still occupies the dry dock with the red and yellow flag floating at her peak. Work on this vessel has not been suspended as reported. Admiral Rowan contradicts the published report that he is engaged in making Cuba fast by the order to the Arapiles to the limits of the navy yard.

MORE BARBARITIES REPORTED—VIRGINIUS SAID TO BE SUNK.

A dispatch from Kingston says it is rumored that Ryan and Verona not dying easily, a Spanish officer thrust his sword through Ryan's heart, and that the bloodthirsty mob severed the bodies in small pieces, placed them on pikes and marched through the city. The Virginius is reported sunk at Santiago. There is great excitement in Panama, where Ryan was well known. It is reported in the United States steamer Wyoming will sail to-morrow from Aspinwall for Santiago de Cuba.

BROOKLYN NAVY YARD.

At the Navy Yard the same activity is manifested as for the past few days. To-day 250 men were added to the forces. The Juniata is now ready for sea and will anchor off the dry dock to-day to await orders. It is stated by an employee of the navy yard that work upon the Spanish iron-clad Arapiles was suspended this afternoon.

**Washington.**

VIEWS OF THE PRESIDENT—COURSE TO BE PURSUED TILL CONGRESS MEETS.

The President to-day in a conversation relative to Cuban matters said that this government had thus far acted on such facts as had reached it, and was now engaged in collecting from all available sources further information concerning the capture of the Virginius and the particulars attending the revolting executions which followed that event. It was desirable that all information should be of such character as would leave no doubt whatever as to its reliability. The propriety of this course was too evident to require explanation. The Government is being carefully as to what it is now doing and what it may hereafter do to act upon facts and not upon assumptions and unconfirmed reports. It was essential that we should be prepared to maintain our position. The President said he had changed none of the views hitherto expressed by him concerning events in Cuba, but had more than ever been confirmed in them by recent occurrences. He shared with the public sentiment in the indignation [illegible] on the high seas of a vessel sailing with regular clearance under the United States flag, and the startling events which so quickly followed. Spain never having considered the Island of Cuba in a state of war, and there being no proclamation by the United States according belligerent rights to the insurgents, the Virginius, if piratically captured for the Island of Cuba, had a right to enter Havana or any other open port of the Spanish possessions. This government did not recognize any right of Spain in all their rights to compel respect to our flag. The present naval preparations were with this view, not to initiate war by the President, that power being vested in Congress, but to be prepared for all possible contingencies. Upon the meeting of Congress all facts in possession of the Executive department relative to Cuban affairs would be laid before that body, with such recommendations as the occasion might demand.

PRESIDENT'S MESSAGE.

To-morrow, he said, he would commence the preparation of his message, but would delay that part relative to Cuba until after the meeting of the Congress, desiring first to obtain all the information upon the subject.

PARTICULARS OF THE CAPTURE OF THE VIRGINIUS.

A dispatch from Havana of the 16th gives the story of the capture of the Virginius as obtained from Spanish sources, and says the most remarkable feature of the capture is the absolute non-resistance of the Virginius when overhauled. The Tornado was cruising on the 31st of October, under sail, about eighteen miles from the Cuban coast. In the afternoon she sighted a steamer about six miles distant heading toward her. Captain Cappa ordered steam to be got up, and soon the strange steamer headed for the coast of Jamaica, distant about one hundred miles. The Spanish captain suspected the steamer was the Virginius, and ordered the engineers to get up all steam possible, even if they burst the boilers, and drive the engines to their utmost speed. The Tornado, with a full head of steam, gained steadily, but night coming on, the Spanish captain feared he should lose the vessel; but the moon rising, he was enabled, by keeping all his hands on deck, at the masthead and in the rigging, to keep in sight until the corvette had neared her sufficiently to bring her guns to bear. A shot was fired, but the strangers made no reply, and four others were fired in succession, the last at 10 P. M., and immediately the steamer which had led the corvette a chase of nearly eight hours, hove to. Two boats were lowered, and without resistance the Virginius was boarded. The Spaniards took possession by hauling down the American flag which the Virginius had displayed throughout the chase and hoisted the Spanish flag instead. Captain Fry, in the usual manner, handed over the steamer's papers for examination by the officer in command. The boarding party and that officer at once took charge of them and both vessels were headed for Santiago de Cuba.

**Boston.**

VIEWS OF SENATOR SUMNER.

Special to the New York Tribune.

BOSTON, MASS., November 17.—Senator Sumner, in an interview to-day, in regard to the Virginius affair said that he had written and sent to New York a letter to be read at the meeting there to-night. This letter embodied his views of the subject. It is a very delicate question, Mr. Sumner hinted, and opinions should be carefully and calmly formed. The haste and heat of popular clamor he did not think calculated to generate sound and sober views. "I suppose," he remarked, "that I shall be attacked for what I have written, unless they suppress the letter. They have contrived to get up a vast deal of excitement on this question. There is a heedless popular indignation which overlooks the real issue. Give the people a little time to cool off, and they will listen to calmer views." Mr. Sumner also remarked on the attitude of certain London journals in this matter, some of which, never very friendly to the United States, are doing all they can to rouse indignation in this country. We need to be very careful, he thought, how we adjust our policy to opinions received from that quarter. They would be too glad to involve us in a war with Spain. They do not like republicanism in Spain, and would only delight to have it crushed by republicanism in America. England would rub her hands in glee if she could make out the Virginius a second Alabama. She would be glad if we placed ourselves in the same position as she occupied by recognizing the Virginius. As to the legal aspects of the case, Mr. Sumner said they appeared to his own mind very clear. The fact that the vessel went under the United States flag does not necessarily compromise our honor. If she was a filibuster, the flag and the papers were only a part of the pretense. It would be foolish, however, he remarked, to make the case of the Virginius a plea for the recognition of Cuba. It would be cruel to precipitate a war with Spain unless we were really driven to it. We must save the Spanish republic if possible.

The letter referred to by Mr. Sumner was not read at the New York meeting.

**Philadelphia.**

SALE OF CUBAN BONDS.

PHILADELPHIA, November 17.—The sale of Cuban bonds has been commenced in this city by an agent. They are sold at twenty-five cents on the dollar, and as they bear seven per cent. interest, many prominent citizens are, either through love of the cause, or that it is a good one, or through a disposition to aid the cause purchasing freely.

A hundred additional hands were put to work at the Navy Yard to-day, and this afternoon an extra gang was employed.

**Louisville.**

LOUISVILLE, November 17.—An infantry company of sixty-five men, organized in this city, has tendered its services to Governor Leslie in the event of prospective hostilities with Spain.

A meeting will be held Tuesday night to secure further enlistments. A federal veteran also offers to raise a regiment of one thousand men.

**New Orleans.**

NEW ORLEANS, November 17.—An officer of the Cuban Junta is here, it is said, for the purpose of raising a colored regiment to assist in liberating the slaves on that isle.

**Havana.**

THE EXECUTION OF FIFTY-SEVEN DENIED.

HAVANA, November 17.—The report received from Cienfuegos that fifty-seven more of the Virginius prisoners had been executed, is not confirmed by later advices from that place. The following dispatch has been made public here: "Santiago de Cuba, November 12th.—There have been no further developments. The military law [illegible] has been applied with all formality. We have no doubts of the affection of the Emperors and people of Austria and Germany have been addressed to Italy, which has conquered her rightful place among the nations. Since the fusion of the two Houses Austria and Italy have disappeared, there remains nothing but the confidence of mutual interest and sure friendship, in harmony with those family affections which an imperious duty has made me subdue, but cannot entirely extinguish. We wish to live in harmony with all nations, but we will firmly guard the rights and dignity of our own."

The King asks for bills to perfect the organization of the army and navy, and to improve the finances, in concluding his speech. The King said: "I have confidence in the nation, and feel that the nation has confidence in me." The speech was greeted with frequent and enthusiastic demonstrations of approval.

**England.**

LONDON JOURNALS DISCUSS CUBA.

LONDON, November 15.—The Daily *News* this morning in an editorial article on the prospects of the annexation of Cuba to the United States, says: The execution of the Virginius captives has virtually decided the fate of the Island. The other London journals contain editorials of similar tenor. The Spanish loan reached the lowest figure this morning yet touched on the London stock market.

REPORT OF PROLONGATION COMMITTEE—EXCITEMENT OVER THE RESULT.

PARIS, November 15—Evening.—Upon the resumption of the session of the Assembly, Laboulay read the report of the Prolongation Committee. It commences by showing the difficulties of prolonging President MacMahon's powers without organic laws. "To do so," says the report, "would result in more or less disguised dictatorship under the title of President of the Republic, France wants a settled government, but it is impossible to grant President MacMahon more than five years power." The report also proposes to so constitute the Republic that France may not become the prey of revolutions, and recommends the appointment of a committee of thirty to consider the constitutional bill. It concludes by appealing to the Conservatives to help found a republic, now that schemes of the monarchists have failed; otherwise the dissolution of the Assembly is inevitable.

The discussion of the report is fixed for Monday next. There is great excitement over the conclusions of the committee.

ASSEMBLY WAITS ON THE PROLONGATION COMMITTEE.

PARIS, November 15.—Upon the meeting of the Assembly to-day, a member of the Right announced that the Committee on the Prolongation of Marshal MacMahon's powers were still in session, and would probably be two hours, and that if necessary, a night session be held for the purpose of hearing the report of the committee. The motion met with vehement protests from the Left and the Chamber became the scene of great uproar. When the tumult subsided, the Secretary of the committee announced that it was impossible to say when the report would be ready, but the Assembly nevertheless by a large majority voted to suspend the sitting until this afternoon.

## OUR SPANISH COMPLICATIONS.

### A Semi-Official Statement of the Position of Our Government.

[From the Washington Republican, 14th.]

The government is without sufficient official information regarding the recent occurrences on the Island of Cuba to enable it to act definite, and is, in fact, in possession of no information beyond that which has been conveyed to the public through the columns of the press. It has been satisfactorily ascertained that the Virginius was within three miles of the shore of Jamaica at the time of her capture, and it is, therefore, impossible to declare at this time whether the capture was made in British waters. It seems that the Spanish vessel Tornado pursued the Virginius for eight hours. All accounts, both official and unofficial, agree on this point. A calculation of speed of both vessels for this space of time shows that if they had been headed toward the Island of Jamaica, and that if the chase had been in the direction of British waters, the Virginius would under any circumstances, have been able to reach the prescribed limit—in other words, she would have reached the line underneath the bluffs of the island inside of which she would not have been amenable to capture. But the inference from the meager information at hand is, that the chase was in a direction parallel with the coast up to the time when the Tornado, having repaired her machinery, changed her course. At this time the Virginius changed her course also, and undoubtedly attempted to reach a point of safety. Whether she succeeded or not is a question yet to be settled. The Spanish announcement, as printed in the official gazette at Madrid, distinctly asserts that she did not reach that point before the Tornado overhauled her, and adds most positively that she was "six miles from the coast." Until this important question is settled the State Department is manifestly at a loss for a basis upon which to rest a complaint.

The testimony regarding this point will necessarily be vague, and perhaps unsatisfactory, as the capture was made at 10 o'clock at night, when it was impossible to make a reasonable estimate of distances, and when, as the moon was shining brightly, the difficulty of such an estimate was doubled.

Questions also arise regarding the registry of the Virginius. Up to this time the Spanish authorities have raised no point against the papers under which she was an American vessel. No opportunity has been afforded them to do so, for the reason that the question has not yet been discussed, and that no point involving the validity of her ownership has been raised. It is possible that the Spanish authorities may have some information regarding this most important feature of the matter, and more value than appears at first when the emergencies of the case require them to do so. Our government has been ready today to maintain that she was an American vessel, and will do so most earnestly if that fact proof is brought forward to show that she had forfeited her right to its protection by the terms of the laws and treaties who have no claim upon the United States.

Immediately upon receipt of the news of the first execution, Secretary Fish, in behalf of this government, took the most energetic steps to prevent additional butcheries. In a dispatch, the language of which was unmistakably forcible and decided, he protested against the execution as being in violation of the prompt notification of the age, and as disgraceful. The repeated occasions for the intervention our government, in similar instances, induced the secretary to look to almost positive protection, and it is certain that the Spanish authorities at Madrid, to whom the dispatch was transmitted through General Sickles, accepted its tenor as in itself conveying further demand in the premises, as the Spanish government was ready to yield without such demand any request important. The subsequent executions line in the general clearing out they make, and the consequent demand upon the manufacturers and importers for goods for the spring trade. If this can be effected rapidly the active demand referred to will soon set the suspended works in motion and give employment to operators. It will, of course, be said that to do this requires cash. The country need have no fear of the collapse of certain unfortunate enterprises and unwise operations. Before a great while people will wonder why there has been so much ado about such matters, and they will then be disposed to reproach themselves for whatever agency their own credulous fears and action had in permitting such a condition of affairs to come about at all.—*Philadelphia Ledger.*

**Cash Sales.**

[From the Philadelphia North American.]

High rates of discount, and in many cases refusals to loan at all on any reasonable terms, have at length done their work, and we find the business houses throwing their goods on the market for what they will bring, in order to raise cash. Our retail streets are filled with placards of cheap goods of every description, and two large wholesale houses in New York have thrown into the hands of the auctioneers six millions of dollars' worth of goods. That this gives activity to business of certain kinds is apparent enough in the nature of things, both in New York and here. There was no use in attempting to hold these goods when the prospect ahead was not auspicious. The first of the year is coming when accounts must be balanced, and in any such settlements cash is of much more value than goods. Even in cases when the emergencies of the case require them to do so. Our government has been ready today to maintain that she was an American vessel, and will do so most earnestly if that fact proof is brought forward to show that she had forfeited her right to its protection by the terms of the laws and treaties who have no claim upon the United States.

Immediately upon receipt of the news of the first execution, Secretary Fish, in behalf of this government, took the most energetic steps to prevent additional butcheries. In a dispatch, the language of which was unmistakably forcible and decided, he protested against the execution as being in violation of the prompt notification of the age, and as disgraceful. The repeated occasions for the intervention our government, in similar instances, induced the secretary to look to almost positive protection, and it is certain that the Spanish authorities at Madrid, to whom the dispatch was transmitted through General Sickles, accepted its tenor as in itself conveying further demand in the premises, as the Spanish government was ready to yield without such demand any request important. The subsequent executions line in the general clearing out they make, and the consequent demand upon the manufacturers and importers for goods for the spring trade. If this can be effected rapidly the active demand referred to will soon set the suspended works in motion and give employment to operators. It will, of course, be said that to do this requires cash. The country need have no fear of the collapse of certain unfortunate enterprises and unwise operations. Before a great while people will wonder why there has been so much ado about such matters, and they will then be disposed to reproach themselves for whatever agency their own credulous fears and action had in permitting such a condition of affairs to come about at all.—*Philadelphia Ledger.*

**Canine Heroism.**

An exciting adventure recently took place near Glasgow, Scotland. The river Kelvan had been swollen by heavy rains until it had become an angry flood. A boy named John Dunn, if it be proven that a vessel is engaged in traffic in violation of Spanish law, she may be subjected to seizure. The insurgents, it may be conceded in this connection, already enjoy the benefit of a recognition of belligerent rights from several South American republics—natural enemies of Spain —but having no seaport, and being without a substantial form of government, their flag upon the high seas must be considered in the purview of international law as the emblem of piracy. It does not necessarily follow that either the United States, Great Britain or any other Powers would treat their flag as such an emblem, but it does follow that Spain would be entitled to treat it as such, and her sympathizing governments would be powerless to interfere.

Under the act of 1818, regulating the duty of the President when his intervention is required to protect American citizens from an invasion of their rights by foreign governments, it impossible that the administration can do anything more than protest against such violation. The law provides most positively that protests of this kind, and subsequent action which may follow, shall be limited to the use of measures which shall not amount to an act of war. It is, therefore, apparent that the government is virtually crippled in its efforts, and while it may be popular to compare the apparent delay of the Department of State in such matters, it should be remembered that Secretary Fish, much abused though he may be, has simply complied with the duties of his position as prescribed by the laws of the country.

The government does not fear serious complications with Spain under any circumstance, but in reply to the numerous inquiries regarding the results of such complications it may be said that, in case of actual war, Spain will find that we are as ready for hostilities as could be expected. Spain is not a party to the Treaty of Paris, and would, consequently, be able to issue letters of marque to privateers, like the last little commerce afloat, and would consequently risk comparatively nothing. No one doubts the result of a war between the two countries. Spain would readily succumb, assuredly with the loss of Cuba, Porto Rico and the Phillipine Islands; but the cost to the United States would undoubtedly be greater than the gain; and the honor of defeating the Spaniards would not compensate us for the difference.

To sum up, it is evident from the foregoing that the Government has not only been active and imperatively urgent in its efforts to bring the Spaniards to terms, but has exhausted every legitimate resource at its command to compel a satisfactory result from the pending difficulties. The country need have no fear of weakness or vacillation in the future conduct of the case. No citizen of the United States, however earnest he may be in his sympathy for the victims of the Santiago atrocity, or horrified at the cruelty of the murders committed, can be more determined that justice shall be wrenched from the hands of reluctant power than the President. In this determination he is ably seconded by Secretary Fish and the entire Cabinet.

## WASHINGTON.

**Special Dispatch to the Commercial.**

WASHINGTON, D. C., November 14, 1873.

Hon. Caleb Cushing, in a conversation to-day respecting the case of the Virginius, said that there were three points to be settled before any steps could be taken by the government. First, the question of the flag; second, the location of the vessel when captured; third, her mission.

**The Nationality of a Vessel**

is governed by her papers, which must correspond with her flag, but neither the flag nor papers are to be accepted as conclusive evidence of her nationality. A vessel may change flag and frequently go back of both in adjudicating a prize cases. During the late rebellion the private vessel Petrel, lying at anchor at Brazos Santiago harbor, was cut out by a vessel of the United States, and forcibly conveyed to the United States. The case was carried before the Supreme Court of the United States and decided against the officer in command was suspended, and afterwards was promoted. In the case of the Petrel, the question of nationality was complicated with the execution of the officers, crew and passengers of the vessel captured.

**The Mission of the Vessel**

Admitting that the vessel was captured on the high seas, sailing under the American flag, with American papers and in every respect, as to form, in compliance with international law, the character of her mission might after all determine the question as to the legality of the capture. The boats and runners were British vessels and when captured in making undoubted attempts to enter ports blockaded by the United States, and for this reason the vessels were recognized as legal prizes and no question whatever was taken by the government of Great Britain.

**Powers and Duties of the President.**

He called attention to the third section of the act of July 15, 1861, which defines the powers of the President. It says: "Whenever it shall be made known to the President that any citizen of the United States has unlawfully seized in any quarter, by or under the authority of any foreign government, it shall be the duty of the President to demand the release of such citizen, and if the release so demanded is not forthwith granted, and full reparation for the same made, which in the opinion of the President shall be satisfactory, he shall forthwith demand the release of such citizen from any other person holding him in confinement on the land or sea within the United States, and if such release so demanded is not forthwith granted, or if such person shall not forthwith be delivered up by the authority of any foreign government, it shall be the duty of the President to use such means, not amounting to acts of war, as he may think necessary and proper to obtain or effectuate such release; and all the facts and proceedings relative thereto shall, as soon as practicable, be communicated by the President to Congress." Congress has before marked out the course to be taken, placing practically the determination of what shall be done in its own hands. The power vested in the President must be under this act, the discretion to put in operation, without the assent of Congress, offensive or retaliatory measures.

## EUROPE.

### BY THE ATLANTIC CABLE,

**Italy.**

PARLIAMENT OPENED BY THE KING—HIS ADDRESS —A FIRM HAND ON THE POPE.

ROME, November 15.—The Italian Parliament was opened to-day by King Victor Emmanuel in person, in a speech from the throne. The King said he hoped for the continuance of the work of internal organization, that this Italy might increase her prosperity amid order and safety, the two indispensable conditions of industry and progress. It had been shown that Rome might become the capital without encroaching upon the independence of the Pope, or the exercise of the spiritual functions and relations of the Catholic world.

"We will respect his religious sentiments and [illegible] but permit no attempt against the nation and its [illegible] Powers with all foreign states are friendly. Proofs of the affection of the Emperors and people of Austria and Germany have been addressed to Italy, which has conquered her rightful place among the nations. Since the fusion of the two Houses Austria and Italy have disappeared, there remains nothing but the confidence of mutual interest and sure friendship, in harmony with those family affections which an imperious duty has made me subdue, but cannot entirely extinguish. We wish to live in harmony with all nations, but we will firmly guard the rights and dignity of our own."

The King asks for bills to perfect the organization of the army and navy, and to improve the finances, in concluding his speech. The King said: "I have confidence in the nation, and feel that the nation has confidence in me." The speech was greeted with frequent and enthusiastic demonstrations of approval.

**England.**

LONDON JOURNALS DISCUSS CUBA.

LONDON, November 15.—The Daily *News* this morning in an editorial article on the prospects of the annexation of Cuba to the United States, says: The execution of the Virginius captives has virtually decided the fate of the Island. The other London journals contain editorials of similar tenor. The Spanish loan reached the lowest figure this morning yet touched on the London stock market.

REPORT OF PROLONGATION COMMITTEE—EXCITEMENT OVER THE RESULT.

PARIS, November 15—Evening.—Upon the resumption of the session of the Assembly, Laboulay read the report of the Prolongation Committee. It commences by showing the difficulties of prolonging President MacMahon's powers without organic laws. "To do so," says the report, "would result in more or less disguised dictatorship under the title of President of the Republic, France wants a settled government, but it is impossible to grant President MacMahon more than five years power." The report also proposes to so constitute the Republic that France may not become the prey of revolutions, and recommends the appointment of a committee of thirty to consider the constitutional bill. It concludes by appealing to the Conservatives to help found a republic, now that schemes of the monarchists have failed; otherwise the dissolution of the Assembly is inevitable.

The discussion of the report is fixed for Monday next. There is great excitement over the conclusions of the committee.

ASSEMBLY WAITS ON THE PROLONGATION COMMITTEE.

PARIS, November 15.—Upon the meeting of the Assembly to-day, a member of the Right announced that the Committee on the Prolongation of Marshal MacMahon's powers were still in session, and would probably be two hours, and that if necessary, a night session be held for the purpose of hearing the report of the committee. The motion met with vehement protests from the Left and the Chamber became the scene of great uproar. When the tumult subsided, the Secretary of the committee announced that it was impossible to say when the report would be ready, but the Assembly nevertheless by a large majority voted to suspend the sitting until this afternoon.

## BANKING REFORM.

### Important Recommendation by a Committee of the New York Clearing House Association.

A committee of the New York Clearing House Association has prepared an important report on reform in banking, in which reference is made as follows to the practice of paying interest on deposits:

Deposits which are derived from strictly commercial operations cannot fluctuate so widely, from time to time, as to produce disturbance in the community; and banks which confine their business to them, as they naturally arise, are always reliable and regular in their treatment of their dealers, and can be conducted with ease and comfort to their managers and safety to the public. On the contrary, deposits which are purchased by payment of interest, or otherw

# Weekly Commercial.

SATURDAY, NOVEMBER 22, 1873.

COMPLETE official returns of the late election in Kansas show a straight Republican majority of 10 on joint ballot: but as most of those elected on the Farmers' ticket are Republicans, the real majority is much larger.

THOSE who are so keen to resent the insult offered to our flag by the capture of the Virginius, should remember that the first insult to the flag was offered by the Virginius itself, in using that flag to cover a piratical invasion of Cuba. The Virginius was not engaged in lawful traffic, and merely used the flag as a protection for its wrong-doing. If a criminal use is made of our flag, we become indorsers of the crime if we resent the capture of the criminals as an insult to the flag they have prostituted to an illegal use.

THE statistics of the foreign commerce of New York for the month of October have just been published by the papers of that city. The exhibit is full of interest. The total imports, exclusive of specie, show a further decline, as compared with last year, of nearly four millions of dollars, but the inflow of specie—a new element of late in this reckoning—swells the total to a very considerable increase. Almost ten millions of dollars in the precious metals came from foreign ports during the last month. The statement of exports is most gratifying. It was, in many quarters, supposed that the difficulty of negotiating bills of exchange against the shipments of produce during the height of the panic, would bring down the total below the unusually large figures for the same month of last year; but the exhibit, on the contrary, shows a further gain of over five million dollars. For the past ten months the total imports amount to $352,723,020, against $381,262,659 last year, and $335,266,412 in 1871; while the total exports for the same period foot up $290,175,321, against $254,901,073 during the corresponding period last year, and $255,268,481 in 1871. Exclusive of specie, there is a gain this year over last of $51,715,-822, and an excess over 1871 of $50,847,176, showing that, notwithstanding the gain of about nine millions in specie, the imports for ten months at that port were twenty-eight and a half millions below the figures for the same period of last year; while the exports have fallen off twenty millions in specie and gained fifty-four millions in produce and merchandise. It is stated that the favorable difference in other ports is even relatively greater than at New York. It may therefore be set down as certain that the balance of trade for the present year will be in favor of this country. Let us keep it so.

### SUMNER ON CUBA.

The managers of the Cuba sympathizing meeting at New York did not care, or perhaps dare to publish CHARLES SUMNER'S letter on the Cuban question. It was too strong a rebuke to their wild and excited temper, and they accordingly suppressed it. MR. SUMNER, however, is not a man to be suppressed in this way. He has made public the letter as he always has written by him, which has been withheld, and the public are bound to have it. MR. SUMNER is not the arbiter of this nation's destiny; but he is a cool, clear-headed thinking man, and being well versed in international law, is entitled, at such a time as this, to be calmly heard and attended to. Let us have his letter, by all means. It is no light thing to rush this nation into a war and before that fact is accomplished, let us, at least, go through the forms of deliberation, and assume the virtue of coolness, even if we have it not.

MR. SUMNER is undoubtedly right in saying that it would be fratricidal in us to go to war with the infant Republic of Spain, as well as in doubting the good faith of the English press in urging us to use this opportunity of appropriating Cuba to our own uses. The friends of monarchy in Europe would like above all things, to crush Republicanism in Spain; and they would dearly like to see the Republic of the United States used as the crushing instrument. Shall we be blind enough, in our unreasoning passion, to do this work for them? It will be a pitiful accomplishment to look at, after it is done, and, if that be possible, the remorse of it had better come before than after.

We think we know New York well enough to be distrustful of her lead in any such matter. She takes counsel from her hopes, her fears and her wishes, rather than from her solid judgment. CALHOUN, one of the best international lawyers in the world, has uttered his word of caution, urging us to make haste very slowly, and SUMNER now adds his word of admonition to the same effect. It is a grand thing to maintain our National honor; but why should we commit a National folly *in doing it?*

### CUBA AND SAN DOMINGO.

With the conservative and timid men of the country, the effort of Gen. GRANT to acquire a peaceable possession of San Domingo was looked on with an apprehension amounting almost to terror. It formed a prominent point in the arraignment made of him before the Senate by Messrs. SUMNER and SCHURZ, and many timid Republicans were doubtless led to vote for GREELEY out of their dread of the policy of acquiring more territory. The whole Democratic party of the country joined in promoting that feeling, and so committed itself to the policy of non-acquisition. What, then, shall we say to the present prevalent rage for the forcible acquisition of Cuba? Is it better to steal Cuba than it would have been to purchase San Domingo? Is it more desirable to go to war for the acquisition of new territory than to acquire it peaceably? Have we any more need of Cuba than of Hayti or the Samana bay of Samana bay? If the entire Democratic party of the Country, with the liberal Republicans, thought it criminal to attempt to buy one island in the Caribbean sea, how can the same party and men unite in crying out for taking possession of another?

For our part, we feel no terror at the prospect of coming into possession of any of the islands that lay contiguous to our Southern border. We should gladly have seen San Domingo annexed to our possessions, as we should also rejoice to see Cuba under the American banner. But that does not alter the case with those who were the opponents of GRANT on the San Domingo business. They resisted the acquisition on general grounds, that were just as applicable to Cuba as to the other; and they cannot be permitted to play fast and loose, and be on both sides of the same question within so short a period as has elapsed since the last Presidential fight.

The Cuba business, however, has one feature that the San Domingo had not; it is proposed to wrest the island from Spain as an act of war, a reprisal, in fact, for the capture of the Virginius. The President favored the purchase of San Domingo; but the Cuban sympathizers would take the shorter cut, and would lay violent hands upon the Spanish island, just because we can, and because we have been horrified at an atrocious slaughter committed by the Spaniards. If there is any danger in acquiring new territory, *is it just* as dangerous to take Cuba, on any pretence, as it would have been to have bought San Domingo; and if there is no danger in it, then the President's policy has been indorsed, and the mouths of his defamers are stopped.

### PRECEDENTS OF OUR OWN SETTING

In 1837 there was an uprising in Canada, intended to establish a republican form of government in that country. Very naturally, there was an intense feeling in the United States of sympathy with the "Patriots," as the Canadian Republicans called themselves, and all along the border there was an immediate effort to give aid and comfort to the "Patriot" movement. MARTIN VAN BUREN was then President, and he at once issued his Proclamation warning all American citizens to refrain from taking part in any act against the British government in Canada, and giving timely notice to all who neglected this caution that, if they were arrested by the Canadian government, the United States would not interfere to secure their release or procure their discharge from punishment.

As was foreseen, quite a number of American citizens were arrested; and they were subsequently tried and sentenced to transportation. The United States Government made no effort to save them, and they were accordingly transported to British penal settlements, and remained there until the Queen, many years afterward, pardoned them.

In this instance the principle was well settled that if a citizen of the United States chooses to go into the territory of another nation and engage in armed efforts to overthrow the government of that nation, he has no claim upon the protection of the government whose protection he has voluntarily abandoned. He must abide by the consequences of his own act.

In 1850 or 1851, during the administration of MR. FILLMORE, one of the CRITTENDEN family took part in a Cuban expedition, and was captured by the Cuban government and put to death. He was an American citizen; but the United States did not, because it legally could not, interfere to save him. He was a brave young man, and belonged to one of the first families of Kentucky. His name was a national one, and his case excited the deepest sympathy. But the United States had to abandon him to his fate, because he had voluntarily given up his citizenship here and engaged in an unlawful attempt to overthrow the government which finally executed him. His execution was as brutal as was that of the Virginius captives; but our government did not make that a pretext for going to war with Spain.

In these two cases the precedent has been fully established that a citizen of the United States cannot claim the protection of his government while engaged in an effort to overthrow another government with which we are at peace.

In the light of these precedents, then, in what does the case of the Virginius captives differ from those of the "Patriot" sympathizers and of young CRITTENDEN? Some of them, it seems, were citizens of the United States; but what were they doing on the Virginius? What was their object and business when captured? Was it not their purpose to engage in the pending effort to overthrow the established government in Cuba? If so, what right have they, or had they, to claim the protection of our government? If we did not resist the execution of young CRITTENDEN, why should we go to war for them? They took their lives in their hands, and resolved to abide the chances, just as the "Patriot" helpers of 1837 did, and, ourselves being judges, their death carries with it no claim upon us to resent it.

Precedents, in course of time, become laws. These precedents are of our own making, and they are certainly binding on their makers. The wisdom of making them was well settled, at the time; and we cannot now, with any show of consistency or right, ask to have them reversed. If—and that is the point first to be ascertained—the citizens of the United States on board the Virginius were engaged in an act of war upon the Spanish government, they forfeited thereby all claims upon the protection of our government.

### THE CUBAN BUSINESS.

The timely letter of MR. SUMNER should operate to call a halt in the onward rush to Cuba. The commercial greed of New York, and the ambition of the pushing heroes who are longing for a chance to distinguish themselves on the gory field, should not be allowed to mislead us and plunge us into national complications without number. We have got work enough on hand to take care of ourselves, without hunting for some one to tread on the tail of our coat as the *signal for a general fight. Let us be sure we are right before we go ahead.* Great Britain did us much more harm during our civil war than Spain has now done, and we bided our time for resenting it. She permitted cruisers to be equipped in her ports to prey on our commerce and insult our flag wherever they found it. These cruises succeeded finally, with the aid they got in England, in driving American tonnage from the ocean, and we submitted, for the time being, accepting, finally, some $15,000,000 as a compensation. Spain may be so much weaker, now, than England was then, that we can afford to bluster at and threaten her; but to take advantage of her weakness would savor more of bullying than of bravery.

There is one other consideration to be kept in mind. We held England to a strict account for fitting out the Alabama to prey upon our commerce, and the international tribunal to which we submitted our claim that we were entitled to remuneration for the injury done us by the Alabama, decided that the British government was liable for the consequences that resulted from the permission which she gave to have that filibuster fitted and equipped in her ports. Have we not put ourselves in the same position as Great Britain, by permitting the Virginius to be fitted out in our ports for service in behalf of those who are in rebellion against Spain, and allowing her to use our flag to cover the illegal traffic she is alleged to have been engaged in? It is claimed that the Virginius was a vessel owned and used by those who are in revolt in Cuba, and that her American register and American colors were adopted solely as a blind against the capture to which she would have been subject as a rebel vessel. The United States, it is said, permitted this use to be made of her flag; and in that event *it is a grave question* whether she is not as liable as England was in the Alabama case. At any rate, it badly becomes us, who have just obtained an award in our favor for the Alabama outrages, to cry out against the capture of a vessel engaged in a service similar to the Alabama, and similarly fitted out in our ports. Neither France nor England raised a word of objection when the Kearsarge waited in the open sea for the rebel cruiser to come out of French waters and sunk her within sight of the shores of both nations. If the Kearsarge had captured, instead of sinking, her, there would have been not a word of remonstrance from [illegible] which would [illegible] a good right to capture the Virginius, if she was a rebel cruiser, as we had to sink a similar cruiser off the coast of France? The fact that she had our flag flying, when captured, would not operate to change the other fact, if it be a fact, that she was in rebel service, unless we intend to establish the dangerous principle that pirates have a right to fly the flag of any nation that is able to protect them.

The simple question then to be settled is as to the real status of the Virginius. If she was engaged in a lawful business, as an American merchant vessel, then Spain has no right to capture her; but if, as is alleged, she landed supplies for the rebels in an out-of-the-way place on the Cuban coast, contrary to Cuban laws, and then took on board quite a number of the Cuban rebels, to aid them to escape from the island; or if she was trying to land supplies and men to aid the rebels, and was driven off in to the open sea and captured by the Tornado, she had no right to cover *that* kind of business with our flag, and we will be in the wrong to protect her in it. Let us get at the facts, first; and in the meantime, meetings to stir up bad blood, and clamors to virtuate our national flag, are entirely out of place. The first thing to ascertain is, *was* our flag outraged, and until that is ascertained, we submit that begging the question is neither logical nor wise.

### Building Associations.

[From the Baltimore American.]

We elsewhere publish the opinion of the Hon. Cabell Whitehead Taylor, Judge of the City Circuit Court, in the case of the Baltimore Permanent Building and Loan Association vs. George W. Taylor. If this decision is sustained by the Court of Appeals, it will work an entire revolution in the system of loaning money by building associations, and will relieve many unfortunate persons whose property is mortgaged, and who are struggling to pay debts which in equity they do not owe. Judge Pinkney does not pass beyond the bounds of literal sense, when he defines a building association of the class represented by the plaintiff to be a piece of "legal machinery for evading the usury laws." The mortgage in this case recites a loan to the defendant of $3,600, on nine shares of the stock of the association, held by him in his own name, and pledged for the repayment of the loan in weekly instalments of $11.16 for ten years. There are covenants by which the mortgagor obligates himself to pay all ground rents, taxes and other legal charges, and to keep the property insured to the full amount of the mortgage ($3,600) for the benefit of the mortgagee.

Judge PINKNEY, assisted by one of the Auditors of the Court, made some arithmetical calculations which will open the eyes of those who pay their weekly instalments, under the impression that they are only returning that which they have received, with lawful interest for the use of the same. In point of fact, the defendant did not receive $3,600, as recited in the mortgage, but only $2,700. In consideration of this loan, the mortgagor agreed to pay eleven dollars and sixteen cents ($11.16) per week, which amounts to $5,803 20. By paying $11 16 per week for 280 weeks the borrower will have paid back the loan of $2,700 and the interest thereon, say $3,124 80. He goes on paying, however, for 240 weeks longer, and gives to the Association $2,678 40 after he has paid back the amount actually loaned him, and the legal interest on the same. Judge PINKNEY says that sum ($2,678 40) stands for excess of interest, and is equivalent to 99 20-100 per cent. on $2,700 for the period of 280 weeks during which the loan is being paid, or 21 12-100 per cent. per year.

### Blessings of Books.

Said Emerson, in the course of his characteristic address lately at the opening of the Concord Library: If you consider what has befallen you when reading a poem, or a history, or a novel, even, that deeply interested you, how you forget the time of day, the persons sitting in the room, the engagement for the evening,—you will easily admit that books make all towns equal; that our library makes Concord as good as Rome, Paris or London, for the time. Robinson Crusoe, could he have had a shelf of our books, could almost have done without Friday, or even the arriving ship. Every faculty casts itself into an art, and memory into the art of writing, that is, into books. Everything that belongs to this change, this invention, interests men. The plant papyrus, which gave its name to our word paper, is of more importance in history than cotton or silver or gold. It was first used for writing about three and four thousand years ago, and, though it hardly grows now in Egypt, where I lately searched for it in vain, and whence it came (you will remember), I always recall with satisfaction that I saw that venerable plant in 1833, growing wild at Syracuse, in Sicily, near the fountain of Arethusa. The chairman of Mr. Monroe's trustees has told you how old is the fountain, and what village library, and we think we can trace in our records a corresponding effect of culture among our citizens. I have the journal of a lady, a native of this town, a descendant of three of its clergymen, who removed into Maine, where she possessed a farm and a modest income. She was much addicted to journeying, carrying with her a fondness for books, and wherever she arrived in a town where there was a minister who had a good library, she would persuade him to take her to board and allow her the use of his library.

## THE CONVENTION AND THE CONSTITUTIONAL ELECTION.

**What are Its Powers?—A Discussion of Its Powers in the Matter of a Special Election—Able and Exhaustive Opinion by City Solicitor Collis—A Submission to Judicial Determination Suggested.**

The following careful and learned opinion in respect to the power of the Constitutional Convention in relation to a special election for the adoption or rejection of the new Constitution has been called forth by the desires of the City Commissioners to understand clearly the position which they occupy in the matter:

LAW DEPARTMENT, CITY OF PHILADELPHIA, November 17, 1873.—To the City Commissioners—Gentlemen:—I have your communication of the 15th inst., informing me that by the election laws of this Commonwealth you are required at all special elections held in this city to furnish the election officers with forms, boxes for ballots, etc., that you have observed that a Board of Commissioners has been appointed by the Constitutional Convention to perform the duties which by existing laws are required of you; and asking me to advise you as to the course to be pursued by you under these circumstances.

The subject is a very grave one, involving questions of such importance that at the outset I must say that, whatever may be my opinion, the subject ought to be submitted for judicial determination.

The views of members of the bar, of the people generally, and the members of the Constitutional Convention itself, are so divided upon it, that it demands the most careful and impartial examination.

On the 2d of June, 1871, an act of the General Assembly of this Commonwealth was passed, of which the first and only paragraph important to consider for present purposes, was in these words: "That the question of calling a convention to amend the Constitution of this Commonwealth be submitted to a vote of the people at the general election, to be held on the second Tuesday of October next."

At that election a vote was taken, and a large majority of the electors voted in favor of *calling* a convention.

At the next session of the Legislature, to wit, upon the eleventh day of April, A. D. 1872, an act was passed entitled "An Act to provide for *calling* a convention to amend the Constitution," the first sentence of which is in these words, "That at the general election to be held on the second Tuesday of October next, there shall be elected by the qualified electors of this Commonwealth, delegates to a convention to revise and amend the Constitution of this State; the said convention shall consist of one hundred and thirty-three members, to be elected in the manner following." Then follow provisions as to the manner and regulation of the election, the tickets to be voted, the returns of the election, the duties of the Commissaries, Secretary of the Commonwealth, and Governor.

Section 3 requires the delegates who shall be elected "to assemble in the House of Representatives at Harrisburg on the second Tuesday of November, A. D. 1872, at 12 o'clock M., with general powers of adjournment as to time and place; and it shall be the duty of the Secretary of the Commonwealth to call the Convention to order at that time of its assembling, and it will sell for the returns of election in his possession, and to read the aforesaid proclamation of the Governor; and thereupon shall proceed to organize by electing one of their number President, and after the members are sworn in, such other officers as may be needed in the transaction of business."

Section 4 is in these words:—"Said Convention, so elected, shall have power to propose to the citizens of the State amendments to the approval or rejection a new Constitution or amendments to the present one, or specific amendments to the present Constitution, which shall be engrossed and signed by the President and Chief Clerk, and delivered to the Secretary of the Commonwealth, by whom and under whose direction the same shall be entered on record in his office, and published once a week in at least two newspapers in each county, where two such are published, for four weeks next preceding the day of election that shall be held for the adoption or rejection of the Constitution or amendments so submitted: *Provided*, That a majority of all the members of the Convention shall have the right to require the separate and distinct submission to a popular vote of any change and amendment proposed by the Convention; *and provided further*, That nothing herein contained shall authorize the said convention to change the language, or to alter in any manner the organization or phraseology of article of the present Constitution, commonly known as the Declaration of Rights, but the same shall be excepted from the powers given to said convention, and shall be and remain inviolate forever; *and provided further*, That the said convention shall not create, establish or submit any proposition for the establishment of a court or courts with exclusive equity jurisdiction.'

SEC. 5. The convention shall submit the amendments and Commissioners will call the qualified voters of the State for their adoption or rejection, at such time or times, or in such manner as the convention shall prescribe, subject, however, to the limitation upon separate submission of amendments contained in this act; and all amendments accepted by a majority of electors voting thereon shall become a part of the Constitution.

Section 6 provides among other things that *"The election to decide for or against the adoption of the new Constitution or specific amendments, shall be conducted as the general elections of this Commonwealth are now by law conducted."*

Section 7 provides for the payment of the delegates.

Section 8 provides the manner of filling vacancies in the convention.

Section 9 requires the Secretary of the Commonwealth to notify the several sheriffs of the election for delegates, and requires the sheriffs to make proclamation thereof.

Section 10 authorizes the Secretary of the Commonwealth to procure for the use of the convention certain papers and statistics.

It was under the provisions of this Act of Assembly that the Convention was *called* by the people by the popular vote, and under the provisions of this act they "assembled at Harrisburg at noon on the second Tuesday of November, 1872;" they were "called to order by the Secretary of the Commonwealth," they read "the proclamation of the Governor," and "thereupon said convention proceeded to organize by electing one of their number as Presiding Officer, and such other officers as were in," elected "such other officers as were needed in the transaction of business."

The first question upon which any discussion arose in the Convention was that of the contested seat in the Third Senatorial District (see 1 vol., Debates, page 9), upon which question Mr. George M. Dallas said:—*"The law under which we are assembled* (meaning the act of April 11, 187) that in the case of a vacancy in a district, the vacancy shall be filled by the delegates at large who were voted for by the electors of that district, and the person whose resignation or death has made a vacancy," and the question was so submitted and so acted upon.

Shortly afterward the resignation of Daniel L. Rhone and John G. Freeze were accepted and their places filled by Caleb E. Wright and Charles R. Buckalew, *in precisely the manner and form prescribed by the act of April 11, 187*, and all vacancies subsequently occurring were similarly filled.

Upon the third day of the proceedings the Convention was organized (see Vol. 1 p. 5) by question of appointing a Committee upon Declaration of Rights was discussed, and the debate was both able and spirited, it being contended upon the one hand that the act of April 11, 1872, prohibited any alteration in the Declaration of Rights; upon the other side it was claimed that the Legislature had no authority to limit the power of the Convention; while a third class expressed their intention to vote for the appointment of the committee, without committing themselves upon the question of the authority to make any alterations the committee may suggest. During the debate ex-Chief Justice Black used the language:—"When the Legislature declared we should be a convention for the purpose of considering, not the whole Constitution, but a certain part of it only, the power was withheld from us to consider anything else. That had the right to mark out the line of our power."

"It this power had not been delegated by the Legislature, we would not have had it, and all delegated power must be accepted by the grantee upon the terms and with the limitations which are expressed in the grant. I do not think we have very much hope that this view of the case will be adopted by the convention, because it concerns a question of our own power, and it is assuming to be more than whenever we get power into our hands, we hold on to it with as tight a grip as we can. But I submit to members of the convention whether we are not taking a little too much upon ourselves when we say we are omnipotent, and can do with this Constitution just as we please, without any reference to the law which delegated this power to us."

The question, however, was carried overwhelmingly in favor of the appointment of the committee, the vote being—Ayes, 106 nays, 18. (See p. 62.).

The act of April 11, 1872, among other things, provided "that one-third of all the members of the convention shall have the right to require the separate and distinct submission to a popular vote of any change and amendment proposed by the convention," and *compliance with this provision of the act*, forty-four of the members of the convention, being more than one-third, *did* apply in writing for the separate submission to the people of the judiciary article, but the convention, by a majority of 22 (see p. 62), refused to grant the request.

Thus it will be seen that in some particulars the convention unanimously governed themselves by the rules laid down for them by the Legislature, while in others they refused to be bound thereby, although requested so to be by a large majority of the body.

It is urged by those who advocate the unlimited power of the convention, that when the people in October, 1871, decided by vote to call the convention, the Legislature had no power to subsequently limit the authority of the convention. On the other hand, it is alleged that the people, in October, 1871, only decided that a convention *should* be called, and left it to their representatives in the Legislature to determine *how* that body should be convened and *how* its action should be ratified or rejected. That at all events the people voted for their respective delegates, with the expressed reservation "that the election to decide for or against the adoption of the new Constitution or specific amendments shall be conducted as the general elections of the Commonwealth are by law conducted." That if after the people had voted *for* a convention the Legislature had taken no action on the matter, no convention would have assembled, notwithstanding the vote of the people. That the vote was taken simply to ascertain the popular voice on the subject, and having been ascertained, the Legislature, in obedience to it, ordered an election of delegates to organize the machinery with which it used to stop the space between the logs has fallen out, and by that means only can a circulation of air be obtained, as there are no windows to admit it. Remarkable above a pile of poles with men's shirts hanging on them; in the rear are four poles, on which are two bonnets and two hats. At the side of the house there is a "clay hole." Into the "clay hole" each one of Tena's followers goes on religious festivals, makes a clay ball about two inches in diameter and places it on the edge of a bank to dry and harden. That is the means no one knows. These people number about sixty, and are known throughout the country as Tena's band. The band takes its name from every one of the dogmas of Tena scrupulously, as it is a part of their religion and faith. The band is sometimes out in the mountains for weeks and months, and on every Wednesday each and every one is required to visit and carry Tena a small basket of provisions. Any one who fails to comply with this requirements is punished. They have attempted to build a church, but the authorities have forbidden it.

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Some one has been writing on masculine disadvantages, and points to the experiences of a schoolboy as illustrative of the fact. "Can he," says this writer, "dodge his calculus by complaining of a sick headache, and breakfasting on toast and tea in bed? Can he slide over his untranslated Virgil by putting on a new coat, his most bewitching cravat, and curling his hair, and looking down when the grumpy old Professor scowls at him? Can he [illegible] and a sob or two condone in his face for a forbidden correspondence? Then look at the partiality shown the sweet girl-graduates. They reporters always dize over their 'gracefulness,' their 'queenliness,' their 'musical voices,' and give a reportorial part or two to their inaudible little platitudes; and in the next day's paper figure some bon-mots from their sparkling essays. Nobody dilates on the 'majesty,' the 'kinglikness,' the 'Apollo-like charms,' of the young gentlemen graduates. They stand up there and bravely address the audience, conscious all the time, to the very center of their beings, that their hands are big and red, that there is one lock of hair that will stick straight up, and that those coat-sleeves will pull up."

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### The Fool of a Horse.

The human head has often been taken to illustrate human wisdom—and very well. But have you ever examined your horse's hoof? It is hardly less curious in its way. Its parts are somewhat more complicated, yet their design is simple and obvious. The hoof is not as it appears to the careless eye, a mere lump of insensible bone fastened to the leg by joint. It is made up of a series of thin layers of leaves of horn, about 600 in number, and nicely fitted to each other, and forming a lining to the foot itself. Then there are as many more layers, belonging to what is called the coffin bone, and fitted into this. These are elastic. Take a quire of paper and insert the leaves one by one into those of another quire, and you will get some idea of of the arrangement of the several layers. Now, the weight of the horse rests on as many elastic springs as there are layers in his feet—about 4,000; and all this is contrived, not only for the conveyance of his own body, but for whatever burdens may be laid on him.

## EQUALIZATION OF TAXATION.

**Some Thoughts and Suggestions which Taxpayers Should Ponder.**

*To whom it may concern:*

The address of the Commissioners and Controller of Allegheny county to the Assessors about to make their triennial assessment announces a change in the valuations of real estate that is confessedly radical, and proposes an increase of valuations ranging from "one to four" and from "one to forty-five!" The equalization fever has thoroughly infected the Commissioners, and a few plain facts and reasons will show how far they have gone astray. The object of taxation is to raise the revenue needed for public purposes, by a fair assessment upon the property in the county, real and personal; and the law in that case provided seeks to compel every owner of such property to pay his proportion of the revenue in the shape of a tax. That law directs Assessors to assess and return all the real estate owned and situate in the several counties of the State, and *all* the personal property, money at interest, &c. The real estate cannot dodge the Assessor, and has to stand the brunt and bear the burden of taxation. The active and productive property represented by the *money owners* has always shirked its share of the taxes, and it is strange that our worthy Commissioners have not, *in their brief experience*, discovered that by taxing money, they may find an ample remedy for much of the evil complained of in their address. But they dwell upon the inadequate valuations of the real estate in the county, and urge assessors to increase them to what they think will be a *cash* value for each lot or farm—and they undertake to say that the assessments of the past fifty years are false, and, as a consequence, that the assessors who have all along been returning the duplicates of the several districts in the county, have been *ignorantly* or *corruptly* making false returns. That is a serious charge, and should not be made without strong reasons. Now what is the *cash* value of each lot and farm in the county and the entire State? That is a hard question to settle; and as the common sense of the assessors throughout the Commonwealth has been laboring for nearly a century to determine the *real or cash value of all the lands lots and houses* within her boundaries, our Commissioners, with whom the Controller, for some reason, associates his experience, might have tarried a brief season and devoted a little more time and consideration to the subject, before rushing into print, and undertaking to inaugurate a change in the assessments of the county, so extensive and radical as that proposed in their address. There is a notion that the common sense and common honesty of the community generally arrive at correct results; and if any one will take up this subject of assessments of real estate, it will be seen that our Assessors have not been wide of the mark, and do not deserve to be lectured by the Commissioners, and their assistants so severely, and instructed to make such a radical change in valuations as is recommended. Now, property is worth what it will sell for, and what it will sell for depends upon the means the purchaser has to pay for it. What A or B sells a lot or farm for is worth to C or D, and is a very good means to discover what such house, lot or farm is worth to them; but then the Assessors of a county have to determine what *all* the people, on an average, will pay for a *farm* in each district in the county and in the State will bring *at a cash sale*, and they act *unanimously* in every district in each county in the State, and have done a brief period since England under Royal authority in 1689, and whose work was indorsed by the great names of Burnet, Patrick, Tillotson and Stillingfleet, and drafts of Churches in England and Ireland, and work, which failed, alas! to receive the approval of Convocation, but was taken up in Parliament by the late Sir John Dalrymple, and finally by the Episcopal Church in the United States and embodied in the prayer book of 1785, which they set forth and recommended for use in this country.

I propose to return to that prayer book sanctioned by William White, and to tread in the steps of that saintly man as he acted from 1783 to 1789.

3. One other reason for my present action remains to be given. On the last day of the Council of 1789, the evangelical bishops all participated in the celebration of the Lord's Supper by invitation in the Rev. Dr. John Hall's church, in the city of New York, and united with Dr. Hall, Dr. Addison Cheever, of Edinburgh, and Professor Dorner, of Berlin, in that precious feast. It was a practical manifestation of the real unity of "the blessed company of all faithful people" of the Lord, "both knit together in one communion and fellowship in the mystical body of His Son Jesus Christ."

The results of that participation have been such as to prove to my mind that such a step cannot be taken by one occupying the position I now hold without sadly disturbing the harmony of the Church, and that I can not, without impairing my influence for good over a large portion of the same Church, very many of whom are within our own diocese.

As I am about to surrender the rights and privilege thus to meet my fellow-Christians of other churches around the table of our dear Lord, I must take my place where I can do so without incurring those of the household of faith.

I therefore leave the communion in which I have labored in the sacred ministry for over twenty-three years, *(transfer illegible)* earnest hope and confidence that a basis for the union of all Evangelical Christiandom can be found in a communion which shall retain or restore a primitive Episcopacy and a pure Scriptural Liturgy, with a fidelity to the doctrine of justification by faith only, *in articulus stantis vel cadentis ecclesiæ*—a position towards which the old Catholics in Europe are rapidly tending, and which has already taken a definite form in the "Church of Jesus" in Mexico.

To this blessed work I devote the remaining years of life, content, if I can only see the dawn of that blessed day from afar.

I am, dear Bishop, faithfully yours in Christ,
GEORGE DAVID CUMMINS.

My address for the present will be No. 7 Bible House, New York.

### A Negro Prophetess.

The Baltimore *Gazette* gives the following pen-pictures of a negress in North Carolina: About forty miles above Wilmington is the "Sanctuary of Tena"—a negro woman about fifty years old with nothing remarkable about her but a head of perfectly white hair. "The Sanctuary" is a rude log cabin, containing one room, built in the commonest way imaginable, and in many places the logs which is used to stop the space between the logs has fallen out, and by that means only can a circulation of air be obtained, as there are no windows to admit it. Remarkable above a pile of poles with men's shirts hanging on them; in the rear are four poles, on which are two bonnets and two hats. At the side of the house there is a "clay hole." Into the "clay hole" each one of Tena's followers goes on religious festivals, makes a clay ball about two inches in diameter and places it on the edge of a bank to dry and harden. That is the means no one knows. These people number about sixty, and are known throughout the country as Tena's band. The band takes its name from every one of the dogmas of Tena scrupulously, as it is a part of their religion and faith. The band is sometimes out in the mountains for weeks and months, and on every Wednesday each and every one is required to visit and carry Tena a small basket of provisions. Any one who fails to comply with this requirements is punished. They have attempted to build a church, but the authorities have forbidden it.

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## CUBA.

**New York.**

REPORT OF THE CAPTAIN OF THE TORNADO.

NEW YORK, November 18.—Castello, the Commander of the Tornado, in his report of the chase and capture of the Virginius, says: "The enthusiasm of the crew simply baffles description when success crowned our efforts. The prisoners were treated with such consideration as their character deserved and the necessity of their safekeeping demanded. In addition to the severe lesson given to the enemies of Spain the capture has made the inhabitants of Santiago delirious with enthusiasm.

RECRUITING FOR THE NAVY.

A Washington special says the Navy Department has ordered the recruiting offices opened throughout the country, and the navy to be recruited to the utmost capacity allowed by law.

BROOKLYN NAVY YARD—ADDITIONAL FORCE—SECRETARY ROBESON PERSONALLY SUPERINTENDING.

There are at present 2,347 men employed in the various departments of the Navy Yard, and it is probable that orders will be given for the employment of a thousand more. Secretary Robeson arrived at the yard at one o'clock, accompanied by Mr. Hanscome, Chief of the Bureau of Construction at Washington. The Secretary came from Washington for the express purpose of inspecting the progress of the work of fitting out vessels of war. Hanscome, in conversation, said that within three weeks he shall have from fifteen to eighteen vessels of war ready for Cuban waters. Secretary Robeson stated that he was determined to remove all obstruction at Key West for navy on a secure footing, ready at all times for peace or war.

SUMNER'S LETTER TO THE CUBAN MEETING.

The *Tribune* of to-morrow publishes the following letter of Senator Sumner, which was to have been read at the Cuban indignation meeting last night, but which the committee state was received too late:

"BOSTON, November 18.

"GENTLEMEN: It is not in my power to be with you at your meeting to ask for justice in Cuba. Allow me to add that longing for immediate emancipation in this neighboring island, where slavery still shows its infamous front, and always insisting that delay is contrary to justice, I am not thereby precluded at this moment, on existing evidence, to determine all our duties in the recent case where civilization has received a shock. It is very easy to see that no indignation at the dreadful butchery inconsistent with the spirit of the age, but, unhappily aroused by an illicit filibustering expedition from our own shores kindred to that of the Alabama, for which England has been justly condemned in damages, can make us unmindful of interest for money often in the first instance borrowed from the banks. A little attention to this source of revenue will increase the income of the county by a few years sufficient to pay our entire debt and it requires no argument to demonstrate, that the remedy can be applied without disturbing the equanimity of any but the class of *shavers*, who carry in their deep pockets a large proportion of our available money circulation. Why do our Commissioners not look to this source for their profit, and fail to bring upon the duplicates of the county the yet untold treasures that are not even hidden from the assessor's view? If they determine to *increase* the valuations of lands, as proposed, the present millage should be *decreased in proportion*, so that the amount of revenue will barely cover the demands upon the treasury each year, and it will not do to say that the commissioners will only levy *one* or *two* mills instead of *ten*, for while the present board have and deserve the full confidence of the people, they cannot bind their successors; and with the power to levy and collect *five* or *ten* times as much taxes as at present valuations can be collected, the experience of other large cities and countries gives w

# FINANCE AND TRADE.

WEDNESDAY EVENING, November 19, 1873.

To-day has shown a favorable condition of affairs and the good features which have prevailed for some days past are added to to-day. Money can be had from outside dealers on quotable and saleable collaterals at 1½ per cent. a month, and in amounts astonishingly large for these days.

Considerable interest is manifested, growing out of certain reported transactions in our local money circles as to the rights of buyers of negotiable paper on bonds payable to bearer where such paper or bonds have been misappropriated. In this connection we quote the opinion of the United States Supreme Court, covering negotiable paper, bonds and the detached coupons of such bonds, which opinion will, we think, settle the matter definitely and finally. The opinion says:

"The possession of such paper carries the title with it to the holder. The possession and title are one and inseparable. The party who takes it before due for a valuable consideration without knowledge of any defect of title, and in good faith, holds it by a title valid against the world. Suspicion of defect of title, or the knowledge of circumstances which would excite such suspicion in the mind of a prudent man, or gross negligence on the part of the taker at the time of the transfer, will not defeat his title. That result can be produced only by bad faith on his part. The burden of proof lies on the person who assails the right claimed by the party in possession. Such is the settled law of this Court, and we feel no disposition to depart from it. (Murray vs. Lardner, 2 Wallace, 110; Thompson vs. Lee County, 3 Wallace, 327; Texas vs. White, 7 Wallace, 735.

"These rules were fully discussed in Murray vs. Lardner (cited above.) We held in that case that the purchaser of coupon bonds before due, without notice and in good faith, is unaffected by want of title in the seller, and that the burden of proof, in respect to notice and want of good faith, is on the claimant of the bonds as against the purchaser. We are entirely satisfied with this doctrine. But these rules have never been applied to matured obligations. Purchasers of notes or bonds past due take nothing but the actual right and title of the vendors. The bonds in question were dated January 1, 1851, and were redeemable after the 31st of December, 1864. In strictness, it is true they were not payable on the day when they became redeemable; but the known usage of the United States to pay all bonds as soon as the right of payment accrues, except where a distinction between redeemability and payability is made by law and shown on the face of the bonds, requires the application of the rule respecting over-due obligations to bonds of the United States which have become redeemable, and in respect to which no such distinction has been made. (Texas vs. White, 7 Wallace, 735; Texas vs. Hardenberg, 10 Wallace, 68.)

"But in the opinion of a majority of the court the coupons in question do not stand upon the same ground as chattels. They were negotiable promises for the payment of money, issued by the government, payable to bearer and transferable by mere delivery, without assignment or indorsement. They are therefore not to be considered as goods, but as representatives of money, and subject to the same rules as bank bills or other negotiable instruments payable in money to bearer. The rule of *caveat emptor* does not apply to them. It is now well settled that the bearer of a bank bill which has been stolen from the bank may recover the amount from the bank, unless it is proved that he did not take it in good faith and for a valuable consideration; and that his knowledge of suspicious circumstances is immaterial, unless amounting to proof of want of good faith. (Spooner vs. Holmes, 102 Mass., 503.)

"Bonds with coupons, payable to bearer, are negotiable securities, and pass by delivery, and in fact have all the qualities and incidents of commercial paper. It is not necessary that the holders of coupons, in order to recover on them, should own the bonds from which they are detached. The coupons are drawn so that they can be separated from the bonds, and, like the bonds, are negotiable; and the owner of them can sue, without the production of the bonds to which they are attached, or without being interested in them. (Thomson vs. Lee county, 3 Wallace, 331.)"

—Foreign advices report a slight decline in government bonds in Europe. The Bank of England has for a week past been gaining daily in her gold reserve, sufficient to evidence a belief that all fears of panic from that source are averted.

Concerning the stock market, we would advise caution. We hear many amateur operators saying "it is a good time for a flyer in stocks," and that everything is now so low, that there must be an advance. They should remember that people all over the country are saying the same thing; speculators are loading themselves with stocks at a rate which sooner or later must be checked, from sheer inability on their part to maintain themselves where now shrewd ones are going "short." Actual buyers for permanent investment are fighting shy, and the market is not in an attitude to invite confidence. Uncertainty prevails throughout; and ask any hopeful operator why he believes in an advance and he can give you no good reason.

The truth is, the whole stock market has been in an inflated condition, bolstered up from year to year by the power of the cliques, helped by the large amounts of money held in New York banks on deposit, and now that these cliques are destroyed and the money withdrawn, we may look for the share market to drop to figures representing intrinsic values, which figures are much below present quotations.

—The following table shows the prices of railway stocks, gold, etc., at the various sessions of the New York Stock Exchange during the day, furnished by the Gold and Stock Telegraph Company, corner of Fourth avenue and Wood street:

| November 19, 1873. | 10:30 A.M. | 11:30 A.M. | 12:30 P.M. | 1:30 P.M. | 2:30 P.M. | 3:00 P.M. |
|---|---|---|---|---|---|---|
| Gold | 109¾ | 109⅝ | 109⅜ | 109½ | 109⅝ | 109⅛ |
| Canton | .... | 56½ | .... | .... | .... | .... |
| Western Union Teleg'h | .... | 57½ | 59 | 58¾ | 59¾ | 59⅞ |
| Quicksilver | .... | 20 | .... | .... | .... | .... |
| Pacific Mail | 27⅜ | 27½ | 28 | 27¾ | .... | 27⅝ |
| Adams Express | .... | 80⅛ | .... | 80⅛ | .... | .... |
| Wells-Fargo Express | .... | 61⅝ | .... | 63 | .... | .... |
| American Express | .... | 56⅛ | .... | 56⅜ | .... | .... |
| United States Express | .... | 56⅝ | .... | 56⅞ | .... | .... |
| New York Central | 86⅝ | .... | 87⅜ | 87½ | 88⅛ | 87¾ |
| Erie | 34 | 40⅝ | .... | 41½ | .... | 42¾ |
| Michigan Central | .... | .... | .... | 78 | .... | .... |
| Michigan Southern | 66⅝ | .... | 67⅝ | .... | 68 | 68⅛ |
| Illinois Central | .... | 85 | .... | 93½ | .... | .... |
| Cleveland & Pittsburgh | .... | 76 | .... | 77½ | .... | .... |
| Chicago & Northwestern | 39½ | 39⅜ | 39½ | 40 | .... | 40⅞ |
| Do preferred | .... | 61 | .... | 62⅛ | .... | 62 |
| Rock Island | 87¼ | 87½ | 88 | 88⅛ | .... | 88¼ |
| St. Paul | 29 | 28¾ | 29½ | 29⅜ | 29¾ | 30¼ |
| St. Paul preferred | .... | 51 | .... | 52⅛ | .... | 53½ |
| Wabash | 40⅛ | 39½ | 40¼ | 40⅛ | .... | 40⅞ |
| Fort Wayne | .... | 84½ | .... | 86 | .... | .... |
| Ohio and Mississippi | 23⅛ | 23⅛ | 23⅜ | 23½ | 24⅛ | 24⅛ |
| Union Pacific | 20⅛ | 20 | 20⅞ | 20⅞ | .... | 20½ |
| Chicago and Alton | .... | 90⅛ | .... | 90 | .... | .... |
| Boston, Hartf'd and Erie | .... | 1⅜ | .... | 1⅜ | .... | 1½ |
| Harlem | .... | 108 | .... | 107 | .... | .... |

—The following are the quotations for government and State bonds received by wire from New York to-day:

| | Morn. | Noon. | Even'g. |
|---|---|---|---|
| 1881 | .... | .... | 113¾ |
| 1881, coupons | 114 | 115 | 114 |
| 1862 | 109 | 108½ | 108½ |
| 1864 | 109½ | 109½ | 109½ |
| 1865 | 110 | 109½ | 109¾ |
| 1865, new | 112½ | 112¼ | 112¼ |
| 1867 | 113⅞ | 113⅝ | 113¾ |
| 1868 | 113¾ | 113⅛ | 113⅛ |
| 10-40s | 107 | 107 | 107 |
| 10-40s, coupons | 107¾ | 107½ | 107½ |
| Currency 6s | 110 | 109⅞ | 110 |
| New 5s | 109 | 109 | 109¼ |

STATE BONDS.

| | Morn. | Even'g. |
|---|---|---|
| Tennessees | 70 | 70¼ |
| Tennessees, new | 69½ | 71 |
| South Carolinas, July | 8½ | 8½ |
| South Carolinas, April | 18 | .. |
| Missouri 6s | 87 | 86½ |

—Robinson Bros., Bankers, Fourth avenue, furnish the following report of active Stocks on the Philadelphia Board:

| | | | |
|---|---|---|---|
| Penna. Central | 44⅜ | Central Trans | 40 |
| Reading | 53 | Empire Trans | .. |
| Oil Creek | 18 | A'y Valley 7-30s | 87 |
| Lehigh Valley | 56 | United Cos | 113 |
| Penn. Scrip | 92 | P. C. & St. Louis 7's | 70 |

## PITTSBURGH OIL TRADE.

OFFICE OF THE DAILY COMMERCIAL, THURSDAY, November 20, 1873.

REMARKS—We have not a single new feature to notice as relates to prices or demand. There were plenty of sellers, whilst buyers for some unaccountable reason failed to put in an appearance. Their absence will probably be accounted for at some other time. We can report very liberal receipts. Below will be found all the information we were able to obtain on the subject:

CRUDE.

In the absence of sales here our readers will have to content themselves with the price at which oil can be obtained. Sellers were plenty at 2¾a2½c per gallon. The only sale reported was at

PARKER'S.

1,000 bbls, at....85c per bbl.

REFINED.

Prices continue nominal at 10½a11c, with plenty of sellers.

PHILADELPHIA—Market quiet; spot 14c, futures 13½c.

NEW YORK—We have nothing important to notice. Sales reported for balance of this month, 13½a14¼c; for December 13½c.

OIL BARRELS

Dull. City $1 80; country $1 75.

[By Western Union Telegraph Line.]

TITUSVILLE, November 19.—The *Herald* says: On the upper road the market was sluggish at $1 bid, $1 05 asked. Market at Oil City quoted at $1. Parker's was quiet and unchanged, Union pipe being quoted at 85c and United pipe nominally at 80c. Home refined market 5½c in bulk, and 9½c in barrels. Sales:

| | |
|---|---|
| 500 bbls upper road, spot | $1 00 |
| 500 bbls upper road, spot | 1 02½ |
| 1,000 bbls upper road, spot | 1 02½ |
| 250 bbls Oil City, spot | 1 00 |
| 1,000 bbls Parker's Landing, Union pipe | 85 |

NEW YORK, November 19, closing 18.—Market without improvement. Crude, in bulk, 5c for immediate delivery; 5½c for December; crude, shipping order, 10c, without sales. Refined, 13½a13¾c for balance of this month; 13½c for December; sales 2,500 bbls, refined, first half March, at 14c; 2,500 bbls, December, at 13½. Cases, 18¾a19c. Philadelphia delivery quiet; refined, 14c, this months delivery.

OIL CITY, November 19.—Market quiet and dull at $1 00.

PETROLEUM CENTER, November 19.—Market dull and weak at 90c.

TIDIOUTE, November 19.—Market unchanged; 85c offered; no sales.

ROUSEVILLE, November 19,—Market very quiet at 80a85c.

TITUSVILLE, November 19.—Market dull and weak; spot, $1 02½a1 05.

PARKER'S LANDING, November 19.—Market quiet at 85c.

PHILADELPHIA, November 19.—Market quiet; S. W. 14c; crude, 4½c; cases, 19c; sales none; futures, December, 13½c.

[By Pacific and Atlantic Telegraph Line.]

TITUSVILLE, November 19.—Market to-day very quiet, $1 being bid, $1 05 asked, both on the Upper road and at Oil City. Sales:

| | |
|---|---|
| 1,000 bbls upper road, spot | $1 02½ |
| 1,000 bbls upper road, spot | 1 05 |
| 1,000 bbls Parker's, Union pipe | 87½ |
| 1,000 bbls Oil City, spot | 1 02½ |

OIL CITY, November 19.—Market unchanged in prices and a little steadier at $1a1 02½; lower road, 85c; upper road, $1a1 05; Parker's, 75a80c.

TIDIOUTE, November 19.—Market dull, 70c bid at the wells and 85c delivered here.

PARKER'S LANDING, November 19.—Market quiet and weak at 75a85c; no transactions reported.

TITUSVILLE, November 19.—Market quiet and dull at about $1 00a1 02½; nothing doing.

### Chicago Live Stock Market.

CHICAGO, November 19.—Cattle—Receipts about 1,600 head; better quality of stock; market improved, with moderate activity; prices firm at an advance of 15a25c for fair shipping cattle; sales fair to choice steers $4 25a5 50; through Texans $1 40a2 75; corn fed $2 75a3 75 native cows and butchers' stock $3 50a4 00. Hogs—Impossible to get official receipts to-night, but the latest estimates place them at 50,000 head, or 9,000 more than ever before known here; market opened fairly active at a decline of 5a10c; sales at $3 85a4 15, but later prices dropped to $3 70a4 05 for common to choice, closing quiet.

### Memphis Market.

MEMPHIS, November 19.—Cotton—demand light and holders firm at 13a14½c. Flour dull and unchanged. Corn scarce and firm at 66a68c. Oats dull at 50c. Bacon firm at 6a6¾a7½c. Bulk active at 5½a5¾a6¼a6½c. Lard active at 8¼a9¼c.

### Oswego Market.

OSWEGO, November 19.—Wheat firm; No 1 Milwaukee $1 40a1 42. Corn steady at 59c. Barley dull at $1 66.

# New York Finance and Trade.

Gold Closed at 109¼@109⅜.

NEW YORK, November 19, 1873—5:30 P. M.

MONEY

active to-day at 7a1-32 per cent.; closed at 7.

STERLING

firm at 106½a106¾ for 60 days, and 108½a108¾ for sight.

GOLD

weak and lower; declined to 109¼, and closed at 109¼a109⅜. Carrying rates 5a1-32, closing 7 per cent. Clearings $45,000,000. The Clearing House states that the reported decrease of legal tenders $600,000 yesterday should have been increase $430,000. Total amount of greenbacks held to-day $30,475,000. Treasury disbursements $1,195,000. Customs receipts, $250,000.

GOVERNMENTS

closed firmer.

| | | | |
|---|---|---|---|
| U. S. coupons, 1881 | 114 | 5-20's, '67 | 113¼ |
| 5-20's, '62 | 108½ | 5-20's, '68 | 113⅜ |
| 5-20's, '64 | 109½ | New 5's | 109¼ |
| 5-20's, '65 | 109¾ | 10-40's | 107½ |
| 5-20's, '65, new | 112¼ | Currency 6's | 110 |

STATE BONDS

quiet and firm.

| | | | |
|---|---|---|---|
| Missouri | 86½ | Virginia, old | 34 |
| Tennessee, old | 70 | North Carolina, old | 22 |
| Tennessee, new | 71½ | North Carolina, new | 14 |
| Virginia, new | 40 | | |

THE STOCK EXCHANGE.

Stocks strong and advanced ½a3⅛. The market was weak at times, but closed at the highest point of the day in most cases. The heaviest business and chief improvement was in Western Union, which ranged at 57a60⅛. The next principal features were New York Central, Lake Shore, Union Pacific, Wabash and Northwestern common. The total sales to-day were Western Union 60,000, Union Pacific 14,000, Wabash 8,000, Pacific Mail 1,000, Ohios 13,000, Central 15,000, St. Paul 7,000, Lake Shore 20,000, St. Joseph 1,200, Erie 2,000, Columbus, Chicago and Indiana Central 500, Rock Island 2,500, Northwestern 4,500, do preferred 1,000.

| | | | |
|---|---|---|---|
| Bankers' Bills | 107 | St. Paul | 30¼ |
| Canton | 81 | Do preferred | 53½ |
| W. U. Tel. Co. | 60½ | Toledo and Wabash | 40¾ |
| Quicksilver | 20 | Do preferred | 65 |
| Adams Express | 81 | Fort Wayne | 96 |
| Wells, Fargo & Co. | 63 | Terre Haute | 5 |
| American Express | 57 | Do preferred | 18 |
| U. S. Express | 57 | Chicago & Alton | 90 |
| Pacific Mail | 27½ | Do preferred | 95 |
| N. Y. Central | 87⅞ | Ohio & Mississippi | 22¾ |
| Erie | 42¾ | Cleve., Col. & Cin | 67 |
| Erie preferred | 65 | Burlington & Quincy | 93¼ |
| Harlem | 109½ | Lake Shore | 68⅛ |
| Harlem preferred | 112 | Panama | 20¼ |
| Michigan Central | 78 | Illinois Central | 93½ |
| Pittsburgh | 77½ | Union Pacific | 20⅜ |
| Northwestern | 40¾ | Central Pacific | 89¼ |
| Do preferred | 62 | Union | 76¼ |
| Rock Island | 88¼ | Delaware & Lack | 90½ |
| N. J. Central | 91 | | |

MISCELLANEOUS.

The steamship Silesia, which arrived to-day, brings £114,127 in sovereigns and gold bars.

The Bank Examiner reports the Mercantile bank safe.

The Clearing House Committee of Nine on Reform held a stormy session to-day. Williams, of the Metropolitan bank, *withdrew from the committee, as his directors* had voted to postpone the subject for sixty days. One or two members of the committee objected to some parts of the report and showed a little weakening, but the bulk of the committee stand firm. This evening the opinion prevails that the report will either be rejected or postponed and that the banks prefer to keep the management of their affairs within their own hands.


### Worn to a Shadow.

Flesh, muscle and mind alike deteriorate when the stomach falters in its duty and the bowels do not perform their part as scavengers of the system regularly and naturally. In chronic dyspepsia the body is usually emaciated, and the muscular fibre loose and flabby, and the brain incapable of prolonged or vigorous exertion. Every organ, every member, even the immortal mind itself, is to a certain extent dependent upon the stomach for support. Strengthen and regulate this feeder of the system with Hostetter's Stomach Bitters, when it fails to perform its functions properly. A good appetite, an increased flow of the gastric juice, and perfect digestion and assimilation will assuredly be the result. The manner in which the great tonic and alterative effects a cure of dyspepsia is direct and simple. It stimulates the digestive organs, cleanses without convulsing the bowels, regulates the flow of bile and determines it into the right channels, and exercises a tranquilizing influence over the nerves.

### Pittsburgh One of the Best Produce Markets in the Country.

By looking over the different exchanges of our neighboring cities we find that Pittsburgh is one of the best produce markets in the country, therefore we would advice our Western shippers to bear in mind the firm of Bahmer Bros. & Co. as one of the most reliable houses in the city, and all produce intrusted in their care will receive their prompt attention. "Quick sales and prompt returns" is their motto of doing business. They tender to consignees of all kinds of country produce their services as consignees, and invite correspondence as to details. They confine themselves strictly to commission and only make purchases on orders. Price governed by supply in market, and aim to sell all goods upon their own merits.


## MARRIED:

WHARTON—PAGE—On the 13th inst., by the Rev. Dr. Page, GEORGE W. WHARTON, JR., of Philadelphia, and JOSEPHINE ORMSBY, daughter of the late John H. Page.

HAYS—GEYER—On Thursday evening, November 13, 1873, at the residence of the bride's parents, No. 94 Arch street, Allegheny city, by the Rev. I. C. Pershing, D. D., WILLIAM B. HAYS, JR., of Pittsburgh, and Miss RACHEL GEYER.

SIPE—MATCHETT—On Thursday evening, November 13th, at the residence of the bride's parents, 287 Federal street, Allegheny, by Rev. W. H. Gill, assisted by Rev. W. P. Moore, W. A. SIPE, Esq., and Miss MARY F. MATCHETT.

HUDSON—ELDER—By Rev. J. M. Newell, Thursday, October 23d, 1873, at the residence of the bride's uncle, Mr. Wm. M. Bell, Marysville, California, Mr. EDWARD B. HUDSON, of former place, to Miss MAGGIE M., daughter of Col. Samuel Elder, Brinton, Pa.

CAMPBELL—ESTEP—On Tuesday evening, November 18th, 1873, at the residence of the bride's brother-in-law, W. H. Scott, Allegheny, by the Rev. B. F. Woodburn, assisted by the Rev. W. C. Campbell, T. O. CAMPBELL, Esq., of Butler and Miss JULIET D. ESTEP, of Allegheny, daughter of the late J. P. Estep. No cards.

## DIED:

COSTELLO—On Tuesday morning, November 18th, at 10:25 o'clock, of Bright's disease of the heart, JAMES A. COSTELLO, aged thirty-nine years.

KLEPPNER—On Wednesday evening, 5 minutes before 8 o'clock, WILLIAM, son of John Kleppner, aged thirteen months.

BAUM—At 7 P. M., on Wednesday, 13th inst., of dropsy of the heart, HARRY HOMER, eldest child of Andrew F. and Margaret Baum, aged seven years, nine months and five days.

BRATT—On Thursday afternoon, November 16th, at 4:30 o'clock, at Reynoldsville, Pa., MARTIN M. BRATT, in the twenty-sixth year of his age.

BARKER—At the residence of his parents, Glenwood, Saturday morning, November 15th, 1873, CHARLES W. BARKER, in his twenty-fourth year.

CHARLTON—On Saturday, November 15th, at 4 o'clock A. M., Mrs. M. A. CHARLTON, widow of the late Capt. W. A. Charlton, in the forty-eighth year of her age.


# Valuable Farm
## FOR SALE.

The undersigned, Attorneys in fact for the heirs of Benjamin Keefer, late of Sewickley Township, Westmoreland county, Pa., deceased, offer at PRIVATE SALE all that certain Tract of Land, situate in Sewickley Township, Westmoreland county, Pa., bounded by lands of Ezra Highbarger, P. S. Pool, heirs of Robert Pinkerton, deceased, and others, late the real estate of Benjamin Keefer, deceased,

CONTAINING NINETY-SIX ACRES,

More or less, having thereon erected a two-story Brick House, 30x25, Frame Bank Barn, 60x40, Wagon Shed, Corn Crib, Cider Mill, Spring House unsurpassed in the county and other improvements. The Farm is in the highest state of cultivation, has abundance of Limestone of the best quality for burning; has about 70 acres cleared and the balance good Oak Timber; has three never-failing springs of good water and water in every field, and has two young fruit bearing Orchards.

THE WHOLE TRACT IS UNDERLAID WITH TWO VEINS OF GOOD COAL.

The upper vein four feet and the lower one eight feet in thickness—the latter being the celebrated Youghiogheny river vein. Both veins can be mined on the farm by drifting. The Farm joins the Big Sewickley Creek, and in case the proposed Railroad now being surveyed is made, this coal would be easy of access, and would be a key to a much larger tract lying back from the creek and the proposed line of Railroad.

TITLE INDISPUTABLE. For price and terms call on or address

DANIEL KEEFER, Madison, Westmoreland county, Pa., or
B. S. KEEFER, Edgewood, Allegheny county, Pa.

# THE BECKWITH $20
## Portable
# FAMILY SEWING MACHINE
## On 30 Days' Trial,

With strength and capacity equal to any, regardless of cost. This Machine does away with all complications, and with the movement of ONLY TWO PARTS (the Needle Arm and Looper), both simple and strong, it makes the Stitch, feeds the Goods, half guides the Cloth, fastens the Seams, sews on Braid, Gathers and Tucks, Hems and Embroiders. REMEMBER, the movement of only two parts does all this, which entirely does away with all the complications so liable to get out of order, and so often the source of annoyance to the operator, besides the ruinous expenditure of force in propelling them. Our Semi-Guiding Feed requires the assistance of only one hand or even one finger, thus leaving the right hand entirely at liberty to ply the wheel, which runs easy and even as a well balanced wheel, with

No Toilsome Tread of the Treadle.

Orders promptly filled on receipt of $20. Beckwith Sewing Machine Co., 862 Broadway, New York. MWF

# FARM FOR SALE

By virtue of a decree of the Orphans' Court, the Lands of THOMAS STEWART, deceased, situate in Findlay Township, Allegheny county, Pa., will be offered at Public Auction, on the Premises, on

November 26, 1873, at 1 O'Clock P. M.

The Tract consists of 104 ACRES OF GOOD LAND, on which is erected a two-story Brick House, large Frame Barn, Frame Stable and other Outbuildings.

About 20 Acres of the Farm is underlaid with a good vein of Bituminous Coal. The Farm is in a good neighborhood, on Potato Garden Run, within two miles of Clinton and seven miles north of the Panhandle Railroad, convenient to Churches and Schools. There is also a good Orchard on the Farm of all kinds of fruit.

The Farm is well Timbered, and there is Water in every field.

For further particulars inquire of the undersigned, near Candor, Candor Postoffice, Pa.

JESSE SCOTT, Trustee.

# Valuable Farm For Sale.

We offer for sale the Farm of the late John Coulter, deceased, in Marshal township, Allegheny county, Pa.; bounded on the east by the Harmony Plank Road and Anton Gaugler, on the south by Casper Forthe and on the north by Bradford's heirs, containing about 180 Acres, 140 of which are cleared, and most of it in grass, balance in timber; the whole under fence. Several never failing springs of water on said farm.

This farm is located on the forks of the Sewickley, Rochester, Beaver, Brighton, Harmony, Franklin and Pittsburgh Roads. Distant from Pittsburgh 15 miles; from Sewickley, Rochester and Beaver about 10 miles each, and from Harmony 11 miles. The improvements are a large 2-story frame Dwelling House, with an L to it, a frame Store House, a 2 story frame tenant House, a large bank barn, spring house, corn crib, coal house, and other farm buildings; 2 good bearing orchards on it. Would divide very well in 3 or 4 small farms, throwing good springs of water in each farm; also timber on each place. If the above property is not sold before the 5th day of February, 1874, it will be offered at public outcry on said farm, at 1 o'clock on that day. For further information apply to JOHN H. FOWLER, Esq., near said place, or to JOS. COULTER, Unionville, Butler county, Pa.

JOS. COULTER,
JOHN H. FOWLER,
Executors.

October 22, 1873.

THE STOCKHOLDERS OF THE SISTERSVILLE WOOLEN MANUFACTURING COMPANY offer their Factory, now daily running in complete order, nearly new, at Private Sale. Persons wishing to engage in business, will seldom ever meet with so desirable an opportunity. Cause: heirs of one of principal stockholders, deceased, desirous of realizing.

Call or address soon, H. A. BLACK, Superintendent, Sistersville, Tyler county, W. Va. S. W. M. Co.
P. W. STOCKING, Secretary.

# Weekly Commercial.

SATURDAY, NOVEMBER 22, 1873.

**Wanted.**

WEEKLY COMMERCIALS of the following dates to complete our files: February 24th, July 13th and September 28th, 1872, and March 1st, 1873.

THE improved and improving aspect of the financial situation within the past week, has a corresponding influence in Europe. Private dispatches from London to leading bankers in this country are said to justify the belief that the panic there is also at an end.

IT is now certain that HOPKINS, Republican is elected Controller of the State of New York, and PLATT, Republican, Inspector of State Prisons, whilst the Democratic majority on the rest of the State ticket is quite small. The two men named were on the Liberal Republican State Ticket; and if the Republican leaders of New York had been wise enough to treat the Liberals with ordinary kindness, they might have had their help to elect the whole of their State ticket.

THE official canvass of the vote for State officers in Iowa, just completed, is as follows: For Supreme Judge, Beck, Republican, 106,185; Hall, "Anti-Monopoly," 76,477; Republican majority, 29,708. For Superintendent of Public Instruction, Abernethy, Republican, 105,303; Prindle, "Anti-Monopoly," 60,276; Republican majority, 45,027. A Republican majority running from 30,000 to 45,000 will do very well for Iowa, and makes us wonder all the more what the Democratic papers have been blowing about.

THE appointment of ex Senator SAULSBURY, of Delaware, to be Chief Justice of that State, is characteristic of the party to which he belongs. He was notorious for his vices when he was in the Senate, and has not reformed; yet he is appointed Chief Justice, solely because he is a Democrat and the brother-in-law of the Democratic Governor who makes the appointment. None but a Democratic Governor dare make such an appointment; and the fact that it has been made is a significant comment upon the effort lately made in New York to get he people to indorse an Constitutional amendment to give the appointment of Judges back to the Governor instead of having them elective, as now.

CUMULATIVE evidence comes from all sides, of improvement in the present situation; a hopeful feature of which is the ready acquiescence of operatives and workingmen generally in a reduction of wages. Quite a large number of manufacturing establishments that have been closed for several weeks past have reopened, while the great dry goods sales now going on in New York aid the general result in stimulating a freer circulation of money. The banks of that city, too, now hold some thirty millions of legal tenders, their rapid gain in this respect being no doubt to a considerable extent attributable to the movement of funds to meet dry goods purchases. A little longer continuance of this state of affairs will bring the country well out of its monetary stringency.

THE Board of Revision of City valuations in Philadelphia has completed its valuation of the real and personal property of that city, and has fixed the amount at $548,243,535, an increase over last year's valuation of $21,078,267. This indicates a marvelous growth in the material wealth of the city, and furnishes indisputable evidence of her prosperity. None of the other large cities of the country can show such rapid and substantial increase. The totals are thus divided:

| | |
|---|---|
| Real estate, taxable | $539,003,692 |
| Real estate, exempt | 68,309,125 |
| Household furniture, plate, &c | 16,010,000 |
| Horses, taxable | 1,918,764 |
| Cattle, taxable | 162,961 |
| Pleasure carriages, taxable | 600,953 |
| Total taxable for city purposes | $548,243,535 |
| Money at interest | 37,595,691 |
| Gold watches | 13,337 |
| Silver watches | 845 |
| Other | 39 |

IT seems very probable that an unceasing clamor will drive Congress into an inflation of the currency as the easiest way out of the present difficulties, and likewise into war with Spain to acquire possession of Cuba. The first will, in the end, bring irremediable ruin in its train, and the last will cost enough to increase the national debt and render increased taxation necessary. We look for the accomplishment of both these purposes. Warning and argument seem alike vain in preventing them. In the blindness of passion and excitement we are rushing upon an unenviable fate. We submit, of course, to the inevitable: but we must be excused for continually repeating warnings against the measures that lead to it. If, as now seems likely, an expansion of the currency is forced upon us, let every prudent man show his wisdom by getting out of debt and getting into a standard state of readiness to stand from under.

SOME months ago we referred to a movement then on foot in England, looking to the formation of an association having for its object the promotion of direct trade and the extension of commercial and financial relations between Europe and the Western and Southwestern States, more particularly the introduction of capital at low rates of interest for the further development of the vast agricultural and mineral resources of the Mississippi Valley. The organization of the society has now been completed, and it is announced that some time next season a deputation of European capitalists is coming over for the purpose of becoming better acquainted with the Western people, socially and commercially. The great fields yet undeveloped to trade and traffic form an inviting prospect for capital and labor. The delegation will be composed of the leading business men of Great Britain, France and Germany. The beneficial results of such a visit, carried out on a comprehensive plan, can hardly fail to be of an important character.

## THE VIRGINIUS IMBROGLIO.

It is perhaps fortunate that when the late Cuban outrage was committed Congress was not in session, and that some time must elapse before, in any case, the exasperating occurrence can be submitted to the consideration of the embodied wisdom of the nation. Sober second thoughts are nearly always better than first impressions, and in the affair of the Virginius the instant adoption of an irrevocable resolution or of any precipitate line of action was especially to be deprecated. Notwithstanding the apparent apathy with which the mass of the American people have regarded the insurrection in Cuba, they have not the less been greatly irritated by Spanish acts. In common with civilized men everywhere they have been thoroughly moved by the atrocities of the Spanish volunteers in Cuba, even when the sufferers in no way directly affected them. In fact, as the result of a long succession of events the attitude of the American mind towards the Cuban-Spaniards was precisely such as to render it most susceptible to the insult lately offered. Then the financial condition of the country is precisely such as to encourage the most obvious method of resenting the injury. Rightly or wrongly multitudes of various classes fancy or persuade themselves that a foreign war would speedily deliver them from the economical evils which they fear as well as from those which they already feel. Moreover, in presence of a real injury done by Spain and warranting retaliation, the old filibuster spirit, slumbering for a score of years or more, is at once aroused and becomes ready for action. The hopes of fame and riches which long ago centered in Cuba and reconciled thousands of adventurous men to an ignominious death as the alternative of success, revive in much of their pristine vigor, despite gray hairs and sluggish blood. In view of so many influences unfavorable to calm, judicial examination on our part of the momentous question suddenly raised between us and the Spanish republic, it is certainly fortunate that some delay in decision is unavoidable. It is well for us that the representatives of the people in Washington assembled, have not been required, with metropolitan journals thundering in their ears and amidst the excitement of the hour, to determine the issue of peace or war. It is well for us that in President GRANT and Mr. Secretary Fish the people have representatives fully capable of deliberately weighing all the circumstances of the exasperating occurrence, and courageous enough to accept the conclusion which truth, justice and national honor shall dictate. So much we are authorized to expect from them by the history of their foreign policy hitherto, and therefore we can perceive neither sense nor propriety in the clamor which seeks by means of indignation meetings and newspaper vaporing to increase the popular excitement and direct the course of the government. It is not for a moment to be supposed that the members of the Cabinet differ from the multitude in the feeling with which they regard the reckless executions at Santiago de Cuba. As yet, however, there is reason to believe that the butchery was less extensive than reported. But even the execution of the leaders of the expedition, without sufficient trial or decent delay, was an act which no civilized man, in cold blood, would excuse. It is simply characteristic of the Spanish volunteer regime, which really controls the Madrid authorities in the island, and imparts hardly any fresh infamy to the savages who fired on the unarmed assembly in the theater at Havana, on the defenseless loungers at the *Cafe del Louvre*, in the same city, and who executed the young students; massacres well remembered by all who have watched the progress of the insurrection in Cuba.

But whatever may be the duty of the American people in the premises, they have not heretofore deemed it their duty to interfere at all with the conflict between Spain and her colony. The American government has not even recognized the Cubans as belligerents, and hence must look upon them as mere insurgents against a regular government, a character they never had. It is therefore easy to put ourselves, at least to some extent, in the place of the Spaniards of Cuba, and to fancy how we should feel towards Spaniards and Cubans who made the neighboring island a basis from which to equip and dispatch military expeditions against us. One can easily believe that with the lapse of every year or month our resentment would grow more bitter, and that if in consequence of aid thus received and of hopes thus inspired, the rebellion had cost us (as it has cost the Spaniards) 100,000 lives and countless treasure, we might exult, as the Spaniards of Cuba have exulted, over the capture of a vessel conveying reinforcements to the rebel cause. Though we may not be able or willing to hold ourselves capable of committing such an atrocity as that of Santiago, we can understand how completely men with Spanish blood in their veins and Spanish traditions in their memories may feel justified in their act. Spaniards are what they are in virtue of their whole history, and unless we are prepared directly to intervene for the overthrow of their rule in Cuba it is not easy to see what right we have to quarrel with a single nefarious act perpetrated in the maintenance of their power.

As to the ship Virginius, whatever technically just grounds we have for claiming redress, there can be no doubt about the character of the vessel or the object of the voyage which terminated so disastrously. Be her papers what they might and whatever flag floated over her, she bore a cargo and a body of men provided and intended to reinforce the Cuban rebels. It is idle to pretend anything else. Letters of RYAN and others written and mailed at Jamaica a few hours before their death suffice to prove the fact. What is more —when the truth shall come out, it will no doubt appear that Spanish or Cuban treachery brought the ship to her fate, as the Spanish authorities evidently knew beforehand first where to look for the vessel and thus provided for her capture. Another thing highly probable or rather certain is that the massacre which followed her capture was especially intended to set forth in the most emphatic and effectual way the determination of the Spanish authorities not to respect the American flag when sheltering an expedition against the peace of Cuba.

In accordance with its pacific relations to Spain, the only questions which the Washington government has to determine relate to the locality of the capture, whether on the high seas or not, and to the character of the vessel as fixed by her papers and history. As to the former question, it seems likely that there may be great difficulty in securing any conclusive evidence on the subject. And as to the latter question, the character of the ship, it is quite possible that before she sailed on her fatal voyage, the government may have disavowed all responsibility for her acts. This is mere conjecture, but seems probable in view of the fact that the departure of the expedition was known to the Spanish Minister in Washington. If in response to his representations Mr. FISH did refuse to recognize the American character of the vessel, he would thereby simplify or complicate the question now raised.

## USELESS OFFICES.

The Secretary of the Treasury has had prepared for him the following table showing the receipts of customs from sixty-eight collection districts, and the cost of collection for the year, and cost of cost of collecting the same. It is a very instructive table:

*Statement Showing Receipts from Customs at small ports during the fiscal year ending June 30, 1873, and cost of collection:*

| Name of District or Port. | Receipts. | Cost of Collection. |
|---|---|---|
| Aroostook, Me. | $1,729 41 | $2,720 40 |
| Passamaquody, Me. | 92,739 99 | 29,461 70 |
| Machias, Me. | 2,948 86 | 6,585 72 |
| Frenchman's Bay, Me. | 26,453 41 | 8,753 40 |
| Castine, Me. | 876 54 | 8,562 25 |
| Waldoboro, Me. | 12,854 61 | 10,114 17 |
| Wiscasset, Me. | 653 61 | 4,074 47 |
| Bath, Me. | 11,635 28 | 10,261 23 |
| Saco, Me. | 1,518 91 | 5,538 34 |
| Kennebunk, Me. | 2 29 | 1,279 00 |
| York, Me. | .... | 368 29 |
| Portland, Me. | 97,588 05 | 17,906 21 |
| Bangor, Me. | 16,836 69 | 13,196 00 |
| Frenchman's, Me. | 10,319 47 | 7,261 00 |
| Newburyport, Mass. | 19,450 73 | 6,893 00 |
| Gloucester, Mass. | 5,662 31 | 18,911 03 |
| Salem, Mass. | 24,338 17 | 11,722 40 |
| Marblehead, Mass. | 508 14 | 1,657 79 |
| Plymouth, Mass. | 22,116 08 | 3,502 81 |
| Fall River, Mass. | 10,774 31 | 8,566 81 |
| Barnstable, Mass. | 2,855 38 | 8,095 00 |
| New Bedford, Mass. | 45,467 69 | 10,810 00 |
| Edgartown, Mass. | 675 91 | 6,650 07 |
| Nantucket, Mass. | .... | 1,966 20 |
| Pensacola, Fla. | 78,875 40 | 20,070 00 |
| Key West, Fla. | 242,918 81 | 16,529 34 |
| Fernandina, Fla. | 6,428 13 | 6,941 24 |
| St. Marks, Fla. | 592 16 | 7,540 00 |
| St. John's, Fla. | 1,744 43 | 6,341 00 |
| Apalachicola, Fla. | 2,912 15 | 331 00 |
| St. Augustine, Fla. | 6,731 03 | .... |
| Georgetown, S. C. | 849 24 | .... |
| Wilmington, Del. | 20,502 72 | 7,305 83 |
| Annapolis, Md. | 2,246 64 | .... |
| Oxford, Md. | 105 00 | .... |
| Crisfield, Md. | 98 81 | 4,595 00 |
| Cherrystone, Va. | 5,729 00 | 5,729 00 |
| Wheeling, West Va. | 1,949 70 | 1,949 70 |
| Perkersburg, West Va. | 334 28 | .... |
| Kanawha, Miss. | 1,100 81 | 500 00 |
| Natchez, Miss. | 555 03 | 500 00 |
| Bristol, R. I. | 338 00 | 1,816 67 |
| Newport, R. I. | 1,462 12 | 2,350 00 |
| Middletown, Conn. | 2,364 12 | 4,055 85 |
| New London, Conn. | 12,709 83 | 6,739 00 |
| Fairfield, Conn. | 18,599 42 | 4,284 25 |
| Stonington, Conn. | 1,719 50 | 1,981 85 |
| Perth Amboy, N. J. | 1,922 05 | 2,491 00 |
| Burlington, N. J. | 202 29 | 534 00 |
| Newark, N. J. | 4,358 21 | 4,358 21 |
| Georgetown, D. C. | 5,581 64 | 7,010 28 |
| Richmond, Va. | 28,212 42 | 11,479 83 |
| Norfolk, Va. | 13,976 60 | 34,656 50 |
| Tappahannock, Va. | 137 97 | 922 06 |
| Petersburg, Va. | 27,154 24 | 7,393 57 |
| Alexandria, Va. | 4,555 06 | 5,563 64 |
| Albemarle, N. C. | 80 08 | 5,572 22 |
| Hamilton, N. C. | 1,264 49 | 2,739 39 |
| Beaufort, N. C. | 121 94 | 2,391 72 |
| Georgetown, S. C. | 422 79 | 2,889 59 |
| Beaufort, S. C. | 37,183 99 | 9,961 00 |
| St. Mary's Ga. | 1,030 41 | 3,117 15 |
| Brunswick, S. C. | 9,705 19 | 4,405 00 |
| Selma, Ala. | 4,000 00 | 1,370 00 |
| Pearl River, Miss. | 4 46 | 2,230 73 |
| Pass Harbor, La. | 2,739 13 | 4,324 00 |
| Little Egg Harbor, N. J. | .... | 1,265 00 |
| Great Egg Harbor, N. J. | .... | 1,265 00 |

Here are 11 districts in which no revenue is collected at all; six in which the receipts are under $100 a year; 14 in which over $100, but less than $1,000 a year were collected; and 17 in which over $1,000 and less than $10,000 a year were collected; while of the entire list, 46 of the 68 cost more than they collected. At least 50 of the lot can safely be abolished.

Most of these offices were created in Democratic times, and to make places for needy politicians. The time has fully come for rooting them out, and Congress need not waste much time in abolishing them.

## SOUND ADVICE.

In the bankruptcy case of JAY COOKE & Co., before Judge CADWALADER, in Philadelphia, the Judge took occasion to give some sound advice to the creditors of that firm; and as the advice has a general bearing, and is pertinent in all cases and everywhere, we append the report of it, as given in the Court proceedings in the Philadelphia papers of Thursday:

"Judge Cadwalader observed that in a case like the present and in times of universal financial distress, the conduct of creditors towards their debtors should be marked with forbearance and with the spirit of toleration; that a struggling community ought not to push its rights to such an extreme length as utterly to crush debtors, without securing more to the creditors than could have been secured by a milder course. The order to show cause had not legally been served upon the defendants, and under the circumstances he could not at present make an adjudication against them, even if it were pressed so to do, but he would order an adjourned meeting for two weeks hence, and direct publication of the notice. In the meantime, speaking as an individual, he thought it would be advisable for the creditors of the defendants to meet and appoint a committee to examine the assets, without interfering with them, and then enter into an arrangement by which the assets would be placed in the hands of such committee to be administered for the benefit of all creditors. In that manner the best p an of doing to all parties the fullest justice the circumstances would admit without recourse to bankruptcy. The paper prepared by the debtors for the examination of their creditors was, no doubt, prompted by the desire to adjust all differences without recourse to bankruptcy. Such a desire was laudable, and it was not an object in the future of the bankrupt law and in the absence of any perfected system of insolvency practice, that debtors who became embarrassed should be at a loss for a plan of adjustment outside of bankruptcy. He deemed the course suggested by him the best for this purpose, but, of course, it was simply submitted for the consideration of counsel, and it was a subject for earnest deliberation. Whilst the paper submitted by the defendants to their creditors, was an impossible course for the earn, judges under the law, he thought it evinced a spirit and desire on the part of the former to do justice to all, and the honorary injunction under which it placed them would restrain them from doing anything in contravention of its meaning, or derogatory to any creditor's right. It was totally out of the question to suppose they could settle their affairs without the supervision of some such committee as he had suggested."

## A Bearded Woman's Love.

"The death of the bearded woman," says a Paris correspondent, "is announced. Her name was Jaqueline Doublin. For the past year she has been a nightly visitor at the Chatelet, fascinating the audience at that theater in the garb of a man, always occupying the same seat. She called forth not a little attention, her long black hair and beard rendering her the object of especial interest. About two months ago she appeared in an elegant woman's attire, her face closely shaved. Notwithstanding the change of dress, she was instantly recognized by the gallery, and greeted in a conspicuous but not satisfactory manner. From that time she was seen no more, and it was soon rumored that she was ill; also, the said illness was the result of a violent and hopeless love for the leading actor of the Chatelet. On her death bed the unfortunate Jaqueline wrote a letter to the Commissioner of Police, acknowledging her passion, which the physicians actually state was the cause of her death."

# CONSTITUTION

## NEW CONSTITUTION PROPOSED TO THE CITIZENS OF THIS COMMONWEALTH FOR THEIR APPROVAL OR REJECTION, BY THE CONSTITUTIONAL CONVENTION.

**Published by Order of the Secretary of the Commonwealth, in Pursuance of the Fourth Section of An Act of the General Assembly, Entitled "An Act to Provide for Calling a Convention to Amend the Constitution," Approved the 11th Day of April, A. D. 1872.**

PREAMBLE.

We, the people of the Commonwealth of Pennsylvania, grateful to Almighty God for the blessings of civil and religious liberty, and humbly invoking His guidance, do ordain and establish this Constitution.

ARTICLE I

DECLARATION OF RIGHTS.

That the general, great and essential principles of liberty and free government may be recognized and unalterably established, we declare that:

SECTION 1. All men are born equally free and independent, and have certain inherent and indefeasible rights, among which are those of enjoying and defending life and liberty, of acquiring, possessing and protecting property and reputation, and of pursuing their own happiness.

SEC. 2. All power is inherent in the people, and all free governments are founded on their authority and instituted for their peace, safety and happiness. For the advancement of these ends they have at all times an inalienable and indefeasible right to alter, reform or abolish their government in such manner as they may think proper.

SEC. 3. All men have a natural and indefeasible right to worship Almighty God according to the dictates of their own consciences; no man can of right be compelled to attend, erect or support any place of worship, or to maintain any ministry against his consent; no human authority can, in any case whatever, control or interfere with the rights of conscience, and no preference shall ever be given by law to any religious establishments or modes of worship.

SEC. 4. No person who acknowledges the being of a God and a future state of rewards and punishments shall, on account of his religious sentiments, be disqualified to hold office or place of trust or profit under this Commonwealth.

SEC. 5. Elections shall be free and equal; and no power, civil or military, shall at any time interfere to prevent the free exercise of the right of suffrage.

SEC. 6. Trial by jury shall be as heretofore, and the right thereof remain inviolate.

SEC. 7. The printing press shall be free to every person to examine the proceedings of the Legislature or any branch of government, and no law shall ever be made to restrain the right thereof. The free communication of thoughts and opinion is one of the invaluable rights of man, and every citizen may freely speak, write and print on any subject, being responsible for the abuse of that liberty. No conviction shall be had in any prosecution for the publication of papers relating to the official conduct of officers or men in public capacity, or for any other purpose, unless the matter so published shall be proved to be false, and the court shall, in addition to other matters, be satisfied from the evidence that the same was published with good motives and for justifiable ends.

SEC. 8. The people shall have the right to bear arms for the defence of themselves and the State; but no soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war but in a manner to be prescribed by law.

SEC. 9. The Legislature shall not grant any title of nobility or hereditary distinction, nor create any office the appointment to which shall be for a longer term than good behavior.

SEC. 10. No ex-post-facto law nor law impairing the obligation of contracts, or making irrevocable any grant of special privileges or immunities, shall be passed.

SEC. 11. No person shall be attainted of treason or felony by the Legislature.

SEC. 12. No attainder shall work corruption of blood, nor, except during the life of the offender, forfeiture of estate to the Commonwealth; nor shall any estate of any person who shall destroy their own lives, or shall be killed in a duel, forfeit for the natural death, and if any person shall be killed by casualty, there shall be no forfeiture to deprive the heir.

SEC. 13. The citizens have a right in a peaceable manner to assemble together, for their common good, and to apply to those invested with the powers of government for redress of grievances, or other proper purposes, by petition, address or remonstrance.

SEC. 14. The right of citizens to bear arms in defense of themselves and the State shall not be questioned.

SEC. 15. No standing army shall, in time of peace, be kept up without the consent of the Legislature, and the military shall, in all cases, and at all times, be in strict subordination to the civil power.

SEC. 16. The State shall be divided into fifty Senatorial districts of compact and contiguous territory, as nearly equal in population as may be, and each district shall be entitled to elect one Senator. Each county containing one-fiftieth part of the population shall be entitled to one Senator for each ratio, and to an additional Senator for a surplus of population exceeding fifty in each county. No county shall form a separate district unless it shall contain a fortieth of a ratio, and where two or more adjoining counties are each entitled to one or more Senators, no such county may be assigned a Senator on less than fourfifths of a ratio, and exceeding one-half of a ratio, and no county shall be divided unless entitled to two or more Senators, nor then unless such county be entitled to separate representation exceeding one-fiftieth of the whole number of Senators. No ward, borough or township shall be divided in the formation of a district. The Senatorial ratio shall be ascertained by dividing the whole population of the State by the number fifty.

SEC. 17. The members of the House of Representatives shall be chosen by districts composed of entire counties, on a ratio obtained by dividing the population of the State as ascertained by the most recent United States or State census, by the number two hundred. Every county containing less than five ratios shall have one representative for every ratio, and no more; and no county representative when the surplus exceeds half a ratio; but each county shall have at least one representative. Every county containing five ratios or more shall have one representative for every full ratio. Every city containing a population equal to a ratio shall elect separately its proportion of the representatives allotted to the county in which it is located. Every city entitled to more than four representatives, and every county having over one hundred thousand inhabitants, shall be divided into districts of compact and contiguous territory, each district to elect its proportion of representatives according to its population, but no district shall elect more than four representatives.

ARTICLE III.

LEGISLATION.

SECTION 1. No law shall be passed except by bill, and no bill shall be so altered or amended on its passage through either house as to change its original purpose.

SEC. 2. No bill shall be considered unless referred to a committee, returned therefrom, and printed for the use of the members.

SEC. 3. No bill, except general appropriation bills, shall be passed, containing more than one subject, which shall be clearly expressed in its title.

SEC. 4. Every bill shall be read at length on three different days in each house; and no amendments made thereto shall be printed for the use of the members before the final vote is taken on the bill, and no bill shall become a law unless on its final passage the vote be taken by yeas and nays, the names of the persons voting for and against the same be entered on the journal, and a majority of the members elected to each house be recorded thereon as voting in its favor.

SEC. 5. No amendments to bills by one house shall be concurred in by the other, except by a vote of a majority of the members elected thereto taken by yeas and nays, and the names of those voting for and against recorded upon the journal thereof; and reports of committees of conference shall be adopted in either house only by the vote of a majority of the members elected thereto, taken by yeas and nays, and the names of those voting recorded upon the journals.

SEC. 6. No law shall be revived, amended, or the provisions thereof extended or conferred by reference to its title only, but so much thereof as is revived, amended or extended and published at length.

SEC. 7. The General Assembly shall not pass any local or special law;

Authorizing the creation, extension or impairing of liens;

Regulating the affairs of counties, cities, townships, wards, boroughs, or school districts;

Changing the names of persons or places;

Changing the venue in civil or criminal cases;

Authorizing the laying out, opening, altering, or maintaining roads, highways, streets, or alleys;

Relating to ferries or bridges, or incorporating ferry or bridge companies, except for the erection of bridges crossing streams which form boundaries between this and any other State;

Vacating roads, town plats, streets or alleys;

Relating to cemeteries, graveyards or public grounds not of the State;

Authorizing the adoption or legitimation of children;

Locating or changing county seats, erecting new counties, or changing county lines;

Incorporating cities, towns, or villages, or changing their charters;

For the opening and conducting of elections, or fixing or changing the place of voting;

Granting divorces;

Erecting new townships or boroughs, changing township lines, borough limits, or school districts;

Creating offices, or prescribing the powers and duties of officers in counties, cities, boroughs, townships, election or school districts;

Changing the law of descent or succession;

Regulating the practice or jurisdiction of, or changing the rules of evidence in any judicial proceeding or inquiry before the courts or other tribunals of the peace, sheriffs, commissioners, arbitrators, auditors, or masters in chancery, or other tribunals, or providing or changing methods for the collection of debts, or the enforcement of judgments, or prescribing the effect of judicial sales of real estate;

Regulating the fees, or extending the powers and duties of aldermen, justices of the peace, magistrates, or constables;

Regulating the management of public schools, the building or repairing of school houses, and the raising of money for such purposes;

Fixing the rate of interest;

Affecting the estates of minors or persons under legal disabilities, except to authorize to sell or part with their real estate upon petition to the Orphans' Court, and in the manner to be provided by law; the evidence upon such petition to be reduced to writing, and to be passed upon by the court, and a majority of the members elected to each house be recorded thereon as voting in its favor.

SEC. 8. No amendments to bills by one house shall be concurred in by the other, except by a vote of a majority of the members elected thereto taken by yeas and nays, and the names of those voting for and against recorded upon the journal thereof; and reports of committees of conference shall be adopted in either house only by the vote of a majority of the members elected thereto, taken by yeas and nays, and the names of those voting recorded upon the journals.

SEC. 9. No law shall be revived, amended, or the provisions thereof extended or conferred by reference to its title only, but so much thereof as is revived, amended, or extended and published at length.

SEC. 10. The General Assembly shall not pass any local or special law:

Authorizing the creation, extension or impairing of liens;

Regulating the affairs of counties, cities, townships, wards, boroughs, or school districts;

Changing the name of any person;

Changing the venue in civil or criminal cases;

Authorizing the laying out, opening, altering, or maintaining roads, highways, streets, or alleys;

Relating to ferries or bridges, or incorporating ferry or bridge companies, except for the erection of bridges crossing streams which form boundaries between this and any other State;

Vacating roads, town plats, streets or alleys;

Relating to cemeteries, graveyards or public grounds not of the State;

Authorizing the adoption or legitimation of children;

Locating or changing county seats, erecting new counties, or changing county lines;

Incorporating cities, towns, or villages, or changing their charters;

For the opening and conducting of elections, or fixing or changing the place of voting;

Granting divorces;

Erecting new townships or boroughs, changing township lines, borough limits, or school districts;

Creating offices, or prescribing the powers and duties of officers in counties, cities, boroughs, townships, election or school districts;

Changing the law of descent or succession;

Regulating the practice or jurisdiction of, or changing the rules of evidence in any judicial proceeding or inquiry before the courts or other tribunals of the peace, sheriffs, commissioners, arbitrators, auditors, or masters in chancery, or other tribunals, or providing or changing methods for the collection of debts, or the enforcement of judgments, or prescribing the effect of judicial sales of real estate;

Regulating the fees, or extending the powers and duties of aldermen, justices of the peace, magistrates, or constables;

Regulating the management of public schools, the building or repairing of school houses, and the raising of money for such purposes;

Fixing the rate of interest;

Affecting the estates of minors or persons under legal disabilities, except to authorize to sell or part with their real estate upon petition to the Orphans' Court, and in the manner to be provided by law; the evidence upon such petition to be reduced to writing, and to be passed upon by the court, and a majority of the members elected to each house be recorded thereon as voting in its favor.

SEC. 11. All courts shall be open; and every man for an injury done him in his lands, goods, person, or reputation shall have remedy by due course of law, and right and justice administered without sale, denial or delay. Suits may be brought against the Commonwealth in such manner, in such courts, and in such cases as the Legislature may by law direct.

SEC. 12. No power of suspending laws shall be exercised unless by the Legislature or by its authority.

SEC. 13. Excessive bail shall not be required, nor excessive fines imposed, nor cruel punishments inflicted.

SEC. 14. All prisoners shall be bailable by sufficient sureties, unless for capital offenses, when the proof is evident or presumption great; and the privilege of the writ of habeas corpus shall not be suspended, unless when in case of rebellion or invasion the public safety may require it.

SEC. 15. No commission of over and terminer or jail delivery shall be issued.

SEC. 16. The person of a debtor, where there is no strong presumption of fraud, shall not be confined in prison after delivering up his estate for the benefit of his creditors, in such manner as shall be prescribed by law.

SEC. 17. No *ex-post facto* law, nor any law impairing the obligation of contracts, or making irrevocable any grant of special privileges or immunities, shall be passed.

SEC. 18. No person shall be attainted of treason or felony by the Legislature.

SEC. 19. No attainder shall work corruption of blood, nor, except during the life of the offender, forfeiture of estate to the Commonwealth; nor shall any estate of any person who shall destroy their own lives, or shall be killed in a duel, forfeit for the natural death, and if any person shall be killed by casualty, there shall be no forfeiture to deprive the heir.

SEC. 20. No money shall be paid out of the Treasury except upon appropriations made by law and on warrant drawn by the proper officer in pursuance thereof.

SEC. 21. No appropriation shall be made to any charitable or educational institution not under the control of the State, except to an institution in which normal schools established by law for the professional training of teachers for the public schools of the State may be located, nor to any such institution unless it shall have been in existence for two years.

SEC. 22. No appropriation except for pensions or gratuities for past services shall be made for charitable, educational or benevolent purposes, to any person or community nor to any denominational or sectarian institution, corporation or association.

SEC. 23. The General Assembly may make appropriations of money to institutions wherein the widows of soldiers are maintained and educated; but such appropriation shall be applied exclusively to the benefit of such widows and children.

SEC. 24. The General Assembly shall not delegate to any special commission, private corporation or association, any power to make, supervise or interfere with any municipal improvement, money, property or effects, whether held in trust or otherwise, or to levy taxes or perform any municipal function whatever.

SEC. 25. No act of the General Assembly shall limit the amount to be recovered for injuries resulting in death, or for injuries to persons or property, and in case of death from such injuries, the right of action shall survive, and the General Assembly shall prescribe for whose benefit such actions shall be prosecuted; no act shall prescribe any limitations of time within which suits, actions or proceedings or prosecutions for injuries to persons or property, or for other causes different from those fixed by general law, may be commenced in any of the courts of this State, and such acts now existing are avoided.

SEC. 26. The General Assembly shall not authorize the investment of trust funds by executors, administrators, guardians, or other trustees, in the bonds or other obligations issued, or to be issued, by acts now existing are avoided, saving investments already authorized.

SEC. 27. The power to change the venue in civil and criminal cases shall be vested in the courts, to be exercised in such manner as shall be provided by law.

SEC. 28. No obligation or liability of any railroad or other corporation, held or owned by the Commonwealth, shall ever be exchanged, transferred, remitted, postponed, or in any way diminished by the General Assembly, nor shall such liability or obligation be released except by payment or legislative enactment.

SEC. 29. Every bill which shall have passed both houses shall be presented to the Governor; if he approve, he shall sign it; but if he shall not approve, he shall return it with his objections to the house in which it shall have originated, which house shall enter the objections at large upon its journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of the members elected to that house shall agree to pass the bill, it shall be sent with the objections to the other house, by which, likewise, it shall be reconsidered, and if approved by two-thirds of the members elected to that house, it shall be a law; but in such cases the vote of both houses shall be determined by yeas and nays, and the names of the members voting for and against the same shall be entered upon the journals of each house respectively. If any bill shall not be returned by the Governor within ten days after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the General Assembly, by their adjournment, prevent such return, in which case it shall be a law, unless he shall file the same, with his objections, in the office of the Secretary of the Commonwealth, and give notice thereof by public proclamation within thirty days after such adjournment.

SEC. 30. The Governor shall have power to disapprove of any item or items of any bill making appropriations of money, embracing distinct items, and the part or parts of the bill approved shall be the law, and the item or items of it disapproved shall be void, unless repassed according to the rules and limitations prescribed for the passage of other bills over the executive veto.

SEC. 31. The Chief Justice of the Supreme Court shall preside, and the Supreme Court shall determine the manner of deciding questions of evidence, and shall report, upon request of the committee, to pronounce his opinions upon other questions of law involved in the trial of impeachments. The Governor and Governor shall exercise the duties of their respective offices until their successors shall be duly qualified.

SEC. 32. The Secretary of the Commonwealth shall have the custody of the great seal of the State, of the Governor, and when required lay the same, with all papers, minutes and vouchers relating thereto, before either house of the General Assembly, and perform such other duties as may be enjoined upon him by law.

SEC. 33. The Secretary of Internal Affairs shall exercise all the powers and perform all the duties of the Surveyor-General and Secretary of Internal Affairs as shall be made by law. His department shall exercise a bureau of industrial statistics, and he shall discharge such duties as may be prescribed by law in charitable institutions, the agricultural, manufacturing, mining, mineral and other industrial and business interests of the State as may be prescribed by law. He shall annually, and at such other times as may be required by law, make reports to the General Assembly.

SEC. 34. The Superintendent of Public Instruction shall exercise all the powers and perform all the duties of the Superintendent of Common Schools, subject to such changes as may be made by law.

SEC. 35. The term of the Secretary of Internal Affairs shall be four years, and of the Auditor General three years. The Auditor General and Treasurer shall be ineligible for the next succeeding term. These officers shall be chosen by the qualified electors of the State at the general elections. No person elected to the office of Auditor General or State Treasurer shall be capable of holding the same office for the next succeeding term.

SEC. 36. The present Great Seal of Pennsylvania shall be the seal of the State.

SEC. 37. All commissions shall be in the name and by authority of the Commonwealth of Pennsylvania, and be sealed with the State seal, and signed by the Governor.

ARTICLE V.

THE JUDICIARY.

SECTION 1. The judicial power of this Commonwealth shall be vested in the Supreme Court, in courts of common pleas, courts of oyer and terminer, and general jail delivery, courts of quarter sessions of the peace, orphans' courts, magistrates' courts, and in such other courts as the General Assembly may from time to time establish.

SEC. 2. The Supreme Court shall consist of seven judges, who shall be elected by the qualified electors of the State at large. They shall hold their offices for the term of fifteen years, if they so long behave themselves well, but shall not again be eligible. The judge who shall have served longest shall be chief justice, and thereafter each judge whose commission shall first expire shall in turn be chief justice.

SEC. 3. The jurisdiction of the Supreme Court shall extend over this Commonwealth, and the judges shall, by virtue of their offices, be justices of over and terminer and general jail delivery in the several counties; and shall have general equity jurisdiction in cases of injunction, and where a corporation is a party concerned. They shall have such other jurisdiction as shall be assigned them by law, and shall constitute courts of inferior jurisdiction; and of quo warranto as to all officers of the Commonwealth whose jurisdiction extends over the State, and of mandamus to courts of inferior jurisdiction; they shall have appellate jurisdiction by appeal, certiorari, writ of error or otherwise in all cases, as is or may be provided by law.

SEC. 4. Writs of error shall be issued directly to the Supreme Court in all cases in which they may be allowed, from the final judgments of the highest courts of common pleas that shall be established, except as herein changed; but more than one court shall not be established in the same judicial district organized for said courts.

SEC. 5. Whenever any county shall contain forty thousand inhabitants it shall constitute a separate judicial district, and shall elect one judge learned in the law, and whenever the Legislature shall provide for additional judges, as the business of the said districts may require, such additional judges shall be elected; but in districts containing more than one county no judge shall be thus assigned, unless he shall reside in the district to which he is assigned, and shall be duly commissioned by the Governor, and shall hold the courts in each county of his district at least once in every year, and shall perform such other judicial duties as may be required by law. No judge shall be assigned to preside in any district for more than five years in succession.

SEC. 6. The judges of the Supreme Court and judges of the courts of common pleas learned in the law, and all other judges required to be learned in the law, shall, at stated times, receive for their services an adequate compensation, which shall be fixed by law, and paid by the State. They shall receive no other compensation, fees or perquisites of office for their services from any source, nor hold any other office or appointment under the United states, this State or any other State.

SEC. 7. The judges of the Supreme Court, during their continuance in office, shall reside within this Commonwealth; and the other judges, during their continuance in office, shall reside within the district for which they shall be respectively elected.

SEC. 8. The several Courts of Common Pleas, before which judgments by confession are entered, have and exercise within their respective districts, subject to such charges as may be made by law, such chancery powers as are now vested by law in the several Courts of Common Pleas of this Commonwealth, or as may hereafter be conferred upon them by law.

SEC. 9. No duties shall be imposed by law upon the Supreme Court or any of the judges thereof, except such as are judicial; nor upon the judges of the courts of common pleas any power of appointment except as herein provided. But the Supreme Court may be authorized by law to appoint a Reporter and such officers as may be necessary for the business of the court, to be paid by the State.

SEC. 10. The several Courts of Common Pleas, before which judgments by confession are entered, have and exercise within their respective districts, subject to such charges as may be made by law, such chancery powers as are now vested by law in the several Courts of Common Pleas of this Commonwealth, or as may hereafter be conferred upon them by law.

SEC. 11. No duties shall be imposed by law upon the Supreme Court or any of the judges thereof, except such as are judicial; nor upon the judges of the courts of common pleas any power of appointment except as herein provided. But the Supreme Court may be authorized by law to appoint a Reporter and such officers as may be